## Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

## **Project Information**

Project ID: PR-RGRW-03752

Project Name: DANA I. LOPEZ PEREZ DBA FINCA DESTINY MIO

Responsible Entity: Puerto Rico Department of Housing

Grant Recipient (if different than Responsible Entity): same as above

State/Local Identifier: Puerto Rico / Municipio of Cayey

Preparer: Allyson Rezac, Deputy Program Manager

### Certifying Officer Name and Title:

- Permit and Environmental Compliance Officers:
- Sally Acevedo Cosme Pedro De León Rodriguez María T. Torres Bregón Angel G. López-Guzmán Ivelisse Lorenzo Torres Santa Damarys Ramírez Lebrón Janette I. Cambrelén Limary Vélez Marrero Mónica M. Machuca Ríos Juan C. Perez Bofill

Consultant (if applicable): SWCA Environmental Consultants

Direct Comments to: PR Department of Housing, environmentcdbg@vivienda.pr.gov

### **Project Location:**

The proposed project is located on a 1.46-acre parcel (Castradal Number 299-056-434-42-000) at Urb. Praderas del Plata, Calle Fiordo #49 Bo Rincon, Cayey, PR 00736, (see **Appendix A, Figure A-1**- Site Location and **Figure 2**- Site Vicinity). All proposed project activities are located in the northern central portion of the property. The applicant has identified three locations for the greenhouses and cistern, respectively, for project activities related for the Intended Use of Grant Funds that is being evaluated under this Environmental Assessment, also shown on Figures 1 and 2:

- Greenhouse 1 Location (18.136421, -66.151722) is adjacent to an RV platform in the northcentral part of the parcel.
- Greenhouse 2 Location (18.136385, -66.151666) is adjacent to an RV platform in the northcentral part of the parcel.
- Cistern Location (18.136338, -66.151590) is adjacent to an RV platform and Greenhouse 1 in the northcentral part of the parcel.

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

The proposed project includes the construction and installation of two new greenhouses and a cistern and the purchase of a plow, water pump, pruning equipment, seeds, fertilizer, and labor. The equipment that will be purchased by the applicant as listed in the Intended Use of Grant Funds falls under the "categorically excluded, not subject to (CENST)" category under HUD guidelines (24 CFR 58.35(b)(4)). This Environmental Assessment (EA) also encompasses the CENST review requirements for the equipment.

Each of the two new greenhouses will be approximately 288 square feet (ft) (12 ft by 24 ft), for a total of 576 square ft. Each greenhouse will be secured with four vertical poles, eight total, that are each 2 ft by 2 ft and go 2 ft deep. No platform is necessary because the applicant will cultivate directly in the ground. The 500-gallon cistern will be 6 ft by 6 ft with a height of 12 ft. Four hardwood blocks will form a square platform that is filled with gravel, which will level the area for the cistern. The cistern will be installed next to the two greenhouses.

The applicant will use a hose to water the crops in the greenhouse, which sources potable water from the aqueduct. The applicant will eventually use the rainwater collected in the cistern for irrigation. The electrical system runs underground to the existing RV platform. An aboveground cable from the electric pedestal on the platform to the greenhouses must be installed. Installation of electrical and water utilities is not included in the applicant's Intended Use of Grant Funds application.

The project involves minimal ground disturbance and no pruning or tree clearing is required for construction. The site is on a slight slope and leveling may be required. The applicant owns the property; therefore, no acquisition is required.

### Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

In September of 2017, Hurricanes Irma and María produced sustained winds and intense rainfall that decimated agricultural production across the island of Puerto Rico. These hurricanes caused the loss of eighty percent of crop value island wide, exacerbating challenges to food security and agricultural business development. The Puerto Rico Department of Agriculture (PRDA) estimated seven hundred and eighty million dollars (\$780 million) worth of damages from the hurricanes to the agricultural sector of the economy.

Many properties were damaged in Hurricane Maria, resulting in struggling businesses. The Re-Grow Puerto Rico Urban-Rural Agriculture Program (Re-Grow Program) will develop greater agricultural capacity and address the needs created by Hurricanes Irma and María with a substantial investment of CDBG-DR funds for a wide variety of viable and sustainable agricultural activities.

The applicant does not have the resources to install two greenhouses and purchase farming equipment and materials for their agricultural operation. The new greenhouses will help increase the efficiency of agricultural production and the types of crops that can be grown. The new cistern will store rainwater and the water pump will irrigate the crops in the greenhouses.

Agencies consulted for the proposed project are provided in the List of Sources, Agencies and Persons Consulted section of this EA. Further discussion of the environmental impacts of the proposed action and alternatives is provided in the Cumulative Impact Analysis, Alternatives/No Action Alternative, and Summary of Findings and Conclusions sections of this EA.

### Existing Conditions and Trends [24 CFR 58.40(a)]:

The project area is a slightly hilly open pasture lawn adjacent to an RV platform and plantain crops. There is a right of way northwest of the property where a creek is sometimes created by heavy rain. The Natural Resources Conservation Service (NRCS) conducted a study for any existing wetlands in this area and concluded none exist.

### **Funding Information**

Grant Number	HUD Program	Funding Amount
B-17-DM-72-0001, B-18-DP-72-0001, B-19-DP-78-0002, B-18-DE-72-0001	Community Development Block Grant – Disaster Recovery (CDBG- DR)	\$11,938,162,230

### Estimated Total HUD Funded Amount: \$25,030.22

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$25,030.22

## Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors</b> : Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance Determinations
STATUTES, EXECUTIVE ORDERS, A	AND REGULATIC	ONS LISTED AT 24 CFR 58.6
<b>Airport Hazards</b> 24 CFR Part 51 Subpart D	Yes No	The project site is not within 2,500 ft of a civil primary or commercial service airport or within 15,000 ft of a military airport. The nearest civil primary or commercial service airport, Fernando Luis Ribas Domincci, is located 117,012 ft (22 miles [mi]) from the project site. The nearest military airport, Luis Munoz Marin International Airport, is located 117,976 ft (22 mi) from the project site. No further evaluation is required. The project is in compliance with airport hazards requirements. The Airport Hazards Partner Worksheet and Airport Hazards Map (Figure B 1-1) are provided in Appendix B,
		Attachment 1.
<b>Coastal Barrier Resources</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No	The project site is not located in a Coastal Barrier Resource Systems Unit (CBRS) or Otherwise Protected Area (OPA). The closest CBRS unit or OPA, Bahia de Jobos, is located 64,436 ft (12 mi) from the project site. The project is in compliance the Coastal Barrier Resources Act. No further evaluation is required. The Coastal Barrier Resources Act Partner Worksheet and Coastal Barrier

		Resources Map (Figure B 2-1) are provided in Appendix B, Attachment 2.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No	A review of the FEMA Flood Insurance Rate Map (FIRM), Community Panel 72000C1195H (effective date 4/19/2005), shows the project site is in Flood Zone X, which is not in a Special Flood Hazard Area (SFHA). Flood insurance is not required. The project is in compliance with the Flood Disaster Protection Act and National Flood Insurance Reform Act. No further evaluation is required. The Flood Insurance Partner Worksheet and FIRM (Figure B 3-1) are provided in Appendix B, Attachment 3.
STATUTES, EXECUTIVE ORDERS,	AND REGULATIO	ONS LISTED AT 24 CFR 58.5
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No	The proposed site is located not within an U.S. Environmental Protection Agency (USEPA) designated non- attainment area. Municipios in Nonattainment or Maintenance areas include Arecibo, Bayamon, Catano, Guaynabo, Salinas, San Juan and Toa Baja. The proposed project will include new construction of two greenhouses but is not anticipated to have negative impact on air quality and will not increase residential density. Emissions associated with the proposed actions are limited to use of small construction equipment and are estimated to be well below the Federal General Conformity Rule de minimis thresholds. Temporary, local air quality impacts may occur during site grading and preparation resulting from dust emissions. Routine dust mitigation best management practices (BMPs) are recommended. The project is in compliance with the Clean Air Act. The Air Quality Partner Worksheet, List of Non-Attainment/Maintenance Status

		Counties in Puerto Rico, and Clean Air Map ( <b>Figure B 4-1</b> ) are provided in <b>Appendix B, Attachment 4.</b>
<b>Coastal Zone Management</b> Coastal Zone Management Act, sections 307(c) & (d)	Yes No	The project site is not located within the Puerto Rico Coastal Management Zone. The closest coastal zone area is located 62,544 ft (12 mi) from the project site. No further evaluation is required. The project is in compliance with the Coastal Zone Management Act. The Coastal Zone Management Partner Worksheet and Coastal Zone Map (Figure B 5-1) are provided in Appendix B, Attachment 5.
Contamination and Toxic Substances 24 CFR Part 58.5(i) (2)	Yes No	The project site was evaluated for potential contamination by conducting a field site inspection on 05/25/2023 to identify any onsite hazards including, but not limited to, soil staining, above ground storage tanks, signs of underground storage tanks, odors, hazardous debris etc. The site inspection did not identify any onsite hazards that could not be resolved with mitigation. In addition, a desktop review of USEPA databases, NEPAssist, and other sources was conducted to determine if the project site was located near dump sites, junk yards, landfills, hazardous waste sites, or industrial sites, including USEPA National Priorities List Sites (Superfund sites), CERCLA or state- equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. The desktop review did not find any of the above- listed toxic, hazardous or radioactive substances in or within 3,000 ft of the project area that could affect the health and safety of project occupants or conflict with the intended use of the property. One water discharger was identified 1,895 ft away; however, its permit was terminated in 2010 and no

		activity has been logged since. Therefore, the site does not pose a hazard to the project. The project is in compliance with Contamination and Toxic Substances. The Contamination and Toxics Substances Partner Worksheet, Site Inspection Report, summary of desktop review findings, and Contamination and Toxic Substances Map (Figure B 6-1) are provided in Appendix B, Attachment 6.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No	The project involves activities that have the potential to affect protected species or habitats including but not limited to activities such as ground disturbance.
		Threatened, endangered, and migratory bird species were identified by reviewing data from the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) Tool. In addition, critical species habitat was reviewed through the USFWS IPaC and Critical Habitat Portal databases. The review identified two federally listed species (Puerto Rican plain pigeon [Columba inornata wetmorei] and Puerto Rican boa [Chilobothrus inornatus]) with the potential to occur within the Project area. There is no designated or proposed critical habitat within the Project area; the closest proposed critical habitat is located 147,775 ft (28 miles) away and the closest final designated critical habitat is located 19,837 ft (four miles) away. The project activities will result in ground disturbing activities, including site clearance and cultivation and a gravel platform base for a cistern. A qualified biologist reviewed the proposed activity location and determined that there is no suitable habitat present for any federal or state listed species at the proposed project location. Therefore, as

		currently designed, the proposed project activities will have No effect on any federally listed species or designated critical habitat. The project is in compliance with Endangered Species Act. If a Puerto Rican Boa is found in the project action site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico DNER and ask for them to relocate the Boa. The Endangered Species Act Partner Worksheet, Threatened and Endangered Species Technical Memorandum with IPaC, Critical Habitat Map (Figure B 7-1) are provided in Appendix B, Attachment 7.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No	The project includes the new construction of two greenhouses and the installation of a cistern. The project itself is not the development of a hazardous facility nor will the project increase residential densities. No further evaluation is required. The project is in compliance with explosive and flammable hazard requirements. The Explosive and Flammable Hazards Partner Worksheet is provided in <b>Appendix B, Attachment 8</b> .
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No	This project does not include any activities that could potentially convert agricultural land to non-agricultural use. No prime farmland or farmlands of statewide importance are within the project area. Although the project includes new construction, the project is exempt from review under the Farmland Protection Policy Act (FFPA) as the project is limited to construction of on- farm structures needed for farm operations. The project is in compliance with the Farmland Protection Policy Act. No further review is required.

			The Farmlands Protection Partner Worksheet and Prime Farmland Map (Figure B 9-1) are provided in Appendix B, Attachment 9.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes	No	A review of the Advisory Base Flood Elevation (ABFE) map, Community Panel 72000C1195H (effective date 4/19/2005), shows the project site is in Flood Zone X. The project is not located in the 100-year floodplain or ABFE special flood hazard area; therefore, no further action is required. The project is in compliance with Executive Order 11988. The Floodplain Management Partner Worksheet and ABFE Floodplain Map (Figure 8 10-1) are provided in
			(Figure B 10-1) are provided in Appendix B, Attachment 10.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes	No	The project will involve new construction of two greenhouses and installation of a cistern on an undeveloped property and significant ground disturbing activities of previously undisturbed soil. State Historic Preservation Office (SHPO) consultation was performed. No National Historic Landmark (NHL) are
			within or near the project area. A site visit was conducted on 05/25/2023 by an SOI-qualified Archaeologist. Record reviews and research were conducted at the SHPO and the Institute for Puerto Rican Culture (ICP) to determine if any archaeologically sensitive resources could be present within a 0.5-mile radius.
			The results of the Record Search and the Site Inspection indicate that there are no historic properties or cultural resources within the 0.50-mile radius study area or within the project Area of Potential Effect (APE). Based on the results of the historic property

		identification efforts, the Program has determined that project actions will not affect historic properties that compose the APE.
		The determination was submitted to SHPO by PRDOH for concurrence on July 24, 2023, and SHPO concurred with the No Historic Properties Affected determination on August 4, 2023. No further evaluation is required. The project is in compliance with the National Historic Preservation Act. The Historic Preservation Partner
		Worksheet, SHPO consultation, Previously Recorded Cultural Resources Map (Figure B 11-1) is provided in Appendix B, Attachment 11.
Noise Abatement and Control	Yes No	The project activities are limited to construction of two greenhouses and do not involve residential new
Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B		construction or rehabilitation. Project activities are therefore an exempt activity. No further evaluation is required. The project is in compliance with HUD's noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No	According to the USEPA's Source Water Protection, Sole Source Aquifer Protection Program, there are no sole source aquifers in Puerto Rico. No further evaluation is required. The project is in compliance with the Safe Drinking Water Act.
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5	Yes No	The project site was reviewed for wetlands using the USFWS Wetland Inventory Mapper and a visual confirmation during the field site inspection. No wetlands were determined to be present on site. No further evaluation is required. The project is in compliance with Executive Order 11990.
		The Wetlands Protection Partner Worksheet and Wetland Map ( <b>Figure B</b>

		12-1) are provided in Appendix B, Attachment 12.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No	A review of the USFWS National Wild and Scenic River mapper identified no Wild and Scenic Rivers or National Rivers Inventory (NRI) rivers present in Cayey Municipio. The closest Wild and Scenic River segment is located 132,401 ft (25 mi) from the project site. The project is in compliance with this section. No further evaluation is required. The project is in compliance with the Wild and Scenic Rivers Act. The Wild and Scenic Rivers Partner Worksheet and Wild and Scenic Rivers
		Map (Figure B 13-1) are provided in Appendix B, Attachment 13.
ENVIRONMENTAL JUSTICE	Yes No	The PeCrew Pregram intende to
Executive Order 12898		The ReGrow Program intends to alleviate negative economic impacts to, and strengthen, the agricultural industry in Puerto Rico. The project's direct and indirect impacts are limited to a small area on a single land parcel. The project will benefit the farm owner by improving agricultural use and production. The project would not facilitate development that would negatively affect human health or result in disproportionate adverse environmental impacts to low-income or minority populations. The project is in compliance with Executive Order 12898. The Environmental Justice Partner
		The Environmental Justice Partner Worksheet and EJScreen Report are provided in <b>Appendix B</b> , <b>Attachment 14</b> .

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive

source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified**.

**Impact Codes**: Use an impact code from the following list to make the determination of impact for each factor.

(1) Minor beneficial impact

(2) No impact anticipated

(3) Minor Adverse Impact – May require mitigation

(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design		The project site location is classified as SRC: Suelo Rústico Común (Rustic Common Land) for rural general land use. The proposed action is continued agricultural use of property, which is compatible with zoning and existing land use.
Design		There is no change in land use since the land will continue to be used for agriculture purposes. The project site is in a rural area of Cayey Municipio, and project activities will not contribute to urban sprawl.
		Any necessary permits should be obtained by the applicant and/or contractor from the appropriate department prior to construction activities.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff		Soil suitability will be assessed prior to construction and will be addressed during local permitting processes. Contractors will be required to use BMPs during construction to control erosion and prevent runoff. The soil is currently being used for agriculture purposes. The general topography of the property is open with vegetated areas. Landslide data from the U.S. Geological Survey (USGS)
		indicates no landslides for the project area (see Appendix A, Figure A-3: USGS Landslide Map).

		DNER authorization may be required for any extraction, removal, excavation, and dredging of the components of the earth's crust.
Hazards and Nuisances including Site Safety and Noise	2	Contractors will be required to provide health and safety plans and monitoring during construction. Noise levels will temporarily increase during construction; however, program activities are limited to the existing farm property and will not elevate ambient noise levels long-term. Contractors will be required to comply with the applicable local noise ordinances. Noise impacts will be mitigated by restricting construction activities to daylight hours.
Energy Consumption	2	The project will not result in significant additional energy consumption as it involves only the construction of two greenhouses and the installation of a cistern on an existing farm and will not require any expansion to existing power facilities.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	The project will result in short-term benefit to employment if contractors are hired for the construction of the greenhouses. After construction, the project will support the continuation of operations and intended use of the farm, which supplies produce for Puerto Rico communities. The project is not anticipated to have a significant impact on employment and income patterns; however, the project may help restore employment opportunities and income patterns.
Demographic Character Changes, Displacement	2	The project is a rural area on the outskirts of moderate to low density residential use area in Cayey Municipio and will not alter the demographics or character of surrounding community. Project activities will not result in any direct or indirect displacement of individuals or families.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILIT	IES AND SER	VICES
Educational and Cultural Facilities	2	The proposed project activities will occur on private land and will not contribute to any change in educational or cultural facilities or affect access to or capacity of educational or cultural facilities.
Commercial Facilities	2	The proposed project will increase agricultural production, resulting in a net positive impact to the applicant's farm commercial output and a positive benefit to surrounding commercial enterprises who purchase and sell the produce.
Health Care and Social Services	2	The proposed project activities will occur on private land and will not affect access to or capacity of health care and social services.
Solid Waste Disposal / Recycling	2	The proposed project may cause an increase in short- term generation of solid waste during construction. All construction debris will be disposed of at the proper facilities for the debris type (i.e. construction waste). The project will not contribute to long-term needs or changes to solid waste disposal and recycling.
Wastewater / Sanitary Sewers	2	The construction of two greenhouses and installation of a cistern is not expected to result in significant changes in wastewater or sanitary sewer generation. Sewage will not be generated from the project. Wastewater from the project will not enter environmentally sensitive areas, nor will the project produce any noxious odors affecting quality of life for nearby residents.
Water Supply	2	No new water connections will be needed aside from additional hoses. The proposed project activities will slightly increase the demand on the municipal suppy until the cistern can collect enough rainwater for irrigation. The applicant may also rely on the municipal supply in times of severe drought, when the cisterns are empty. The greenhouse will allow the applicant to control the water to the crops and will reduce the amount needed compared to open air farming which often results in higher evapotranspiration. Therefore, the cisterns and greenhouse are anticipated to lessen the demand on the municipal supply compared to an

		open air crop using only the municipal supply to irrigate.	
Public Safety - Police, Fire and Emergency Medical	2	The proposed project activities will occur on private land and will not affect public safety concerns such as police, fire, and emergency medical services.	
Parks, Open Space and Recreation	2	The proposed project activities will occur on private land and will not result in any changes to access or use of parks, open space, and recreation areas.	
Accessibility have prop		ne project activities will occur on private land and ave no relation to transportation services. The roposed activities will not result in any changes in ansportation and accessibility.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	
NATURAL FEATURES			
Unique Natural Features, Water Resources	2	The project is not located in proximity to unique natu features or water resources; therefore, construction activities will not affect quality or access to the resources.	
Vegetation, Wildlife	2	The project area has already been previously disturbed for farm operations; therefore, the project is not anticipated to result in any new impacts to trees, vegetation, wildlife or native plant communities. No tree clearing or pruning is anticipated prior to greenhouse construction.	
Climate Change	2	The proposed ReGrow program project aims to increase resiliency in the agricultural industry to prepare for future climate related disasters, including drought. The Climate Mapping for Resilience and Adaptation Assessment tool (https://resilience.climate.gov/#assessment-tool) provides historical and future climate data for five common climate-related hazards (extreme heat, drought, wildfires, flooding, and coastal inundation). The data model for the census tract that includes application location does not indicate a significant increase in hazard risks from climate change for drought, wildfire, or flooding, when comparing	

n te 2 Is T C C M M M	historical data (1976-2005) to future projections. The model projects a greater number of days where emperatures will exceed 90 degrees Fahrenheit after 2015, which is a systemic trend in the model across the sland. The specific activities proposed for this economic development project are limited in scale and land mpacts. The proposed greenhouse and cistern construction activities are for individual farm use and will not result in a significant increase in electricity or vater draw. Additionally, project activities will not esult in tree clearing that would contribute to a loss in carbon capture.
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### Additional Studies Performed:

None Required.

### Field Inspection (Date and completed by):

May 25, 2023 – Delise Torres-Ortiz, SWCA Environmental Consultants

### List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

Department of Natural and Environmental Resources (DNER). 2023a. Puerto Rico State Wildlife Action Plan a Ten-Year Review. Accessed March 1, 2023. Available at: <u>https://arcg.is/1DmOy1</u>.

DNER. 2023b. Puerto Rico DNER Species Ranges – under construction. Accessed June 25, 2023. Available at: <u>https://arcg.is/1S9aju0</u>.

Federal Aviation Administration (FAA). 2022. National Plan for Integrated Airport Systems 2023-2027. Accessed January 31, 2023. Available at: <u>National Plan of Integrated Airport</u> Systems (NPIAS) 2023-2027, Appendix B: National and State Maps (faa.gov).

Federal Emergency Management Agency (FEMA). 2023. FEMA Flood Map Service Center - Map Panel 72000C1195H (effective 4/19/2005). Accessed March 1, 2023. Available at: <u>https://msc.fema.gov/portal/home</u>.

Institute of Puerto Rican Culture (ICP). 2023. San Juan, Puerto Rico. Data collection conducted on June 2, 2023.

National Oceanic and Atmospheric Administration (NOAA) Office for Coastal Management. 2023. Puerto Rico Coastal Zone Boundary. Accessed March 1, 2023. Available at: <u>Puerto Rico Coastal Vulnerability Viewer (arcgis.com)</u>.

State Historic Preservation Office (SHPO). 2023. San Juan, Puerto Rico. Data collection conducted on June 6, 2023.

U.S. Environmental Protection Agency (USEPA). 2022a. Envirofacts Mapper. Air pollution data (ICIS-AIR), Brownfields, Hazardous Waste (RCRAInfo), Superfund National Priorities List (NPL), Toxic Releases Inventory (TRI), and National Pollutants Discharge Elimination Systems (NPDES). Accessed November 1, 2022. Available at: <a href="https://geopub.epa.gov/arcgis/rest/services/EMEF/efpoints/MapServer">https://geopub.epa.gov/arcgis/rest/services/EMEF/efpoints/MapServer</a>.

USEPA. 2022b. Sole Source Aquifer Map. Accessed March 1, 2023. Available at: <u>https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ad</u> <u>a1877155fe31356b</u>.

USEPA. 2023a. Puerto Rico Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants. USEPA Green Book. Accessed January 31, 2023. Available at: <u>https://www3.epa.gov/airquality/greenbook/anayo\_pr.html</u>.

USEPA. 2023b. EJScreen: Environmental Justice Screening and Mapping Tool. Accessed June 8, 2023. Available at: <u>https://www.epa.gov/ejscreen/download-ejscreen-data</u>.

U.S. Fish and Wildlife Service (USFWS). 2019. Coastal Barrier Resources System. Accessed January 31, 2023. Available at: <u>https://www.fws.gov/CBRA/Maps/Mapper.html</u>.

USFWS. 2023a. Information for Planning and Consultation (IPaC). Accessed June 23, 2023. Available at: <u>https://ipac.ecosphere.fws.gov/location/index</u>.

USFWS. 2023b. Critical Habitat for Threatened & Endangered Species. Accessed June 25, 2023. Available at:

https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe 09893cf75b8dbfb77.

USFWS. 2023c. National Wetlands Inventory Surface Waters and Wetlands Mapper. Accessed March 1, 2023. Available at: <u>https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/</u>.

U.S. Forest Service. 2022. National Wild and Scenic River Segments. Accessed January 31, 2023. Available at: <u>https://www.rivers.gov/mapping-gis.php</u>; <u>Wild & Scenic Rivers |</u> <u>US Forest Service (usda.gov)</u>.

U.S. Geological Survey (USGS). 2022. Concentration of Landslides caused by Hurricane Maria, Puerto Rico. Accessed March 1, 2023. Available at: <u>U.S. Landslide Inventory</u> (arcgis.com).

### List of Permits Obtained:

No permits have been obtained.

### Public Outreach [24 CFR 58.43]:

Puerto Rico Department of Agriculture has worked closely with the agricultural community. In compliance with the National Environmental Policy Act (NEPA) regulations for HUD, the public will be notified of the project through publication of the combined Finding of No Significant Impact (FONSI) – Notice of Intent to Request Release of Funds (NOI-RROF) notice with a 15-day public comment period.

### Cumulative Impact Analysis [24 CFR 58.32]:

The construction of two greenhouses and installation of a cistern at the project site is not anticipated to have a negative impact on environmental resources. None of the environmental assessment factors nor the regulations reviewed in the above checklist resulted in negative environmental impacts or the need for mitigation. Overall, the project will have a net positive impact by helping a small business increase their capacity for agricultural production. No other planned or ongoing projects were identified in the project vicinity that could contribute to cumulative impacts of environmental resources.

### Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

### Alternative Location:

The greenhouses and cistern could be placed in a different location on the parcel. There is an open pasture area northwest of the selected project location that would be suitable for the greenhouses and cistern. However, it is further away from the existing RV platform, which already has water and electrical utilities installed. Moving the project location would increase the cost of the project and aggravate potential impacts resulting from new water and electrical utility connections.

### No Action Alternative [24 CFR 58.40(e)]:

Under the No Action Alternative, the applicant would not receive federal funding to purchase equipment, construct two new greenhouses, and install a cistern. Consequently, the applicant may not be able to recover and continue agricultural production. Given the degree of need for greater agricultural capacity in Puerto Rico following Hurricanes Irma and María, the costs of foregoing the project would exceed the benefits.

### Summary of Findings and Conclusions:

The proposed project would not result in any adverse impacts to the surrounding natural, historical, and water resources; generate significant air or noise pollution; or promote environmental or socioeconomic injustices. The proposed project is not located within a coastal zone or near a major water resource. There are no mitigation requirements for any of the laws and authorities assessed in this review.

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

Summarize below 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	
<b>Endangered Species</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	General Condition: The current project activities do not involve the removal of trees. If any tree clearing is to be proposed, the project will need to be re-evaluated for impacts to threatened and endangered species. If a Puerto Rican Boa (Boa) is found in the project activity site, work shall cease until the Boa moves off site on its own. If the Boa does not move off site, the Construction Manager shall contact the Puerto Rico DNER to relocate the Boa.	
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	General Condition: If historic properties are discovered, unanticipated effects on historic properties are found, or cultural materials are encountered, work should cease in the immediate area; work can continue where no historic properties or cultural materials are present. Please contact PRDOH to consult on further actions that may be necessary to protect historic properties or cultural materials.	
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	Any necessary construction permits should be obtained by the applicant and/or contractor from the appropriate department prior to construction activities.	
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	Soil suitability will be assessed prior to construction. Contractors will be required to use best	

	management practices during construction if erosion impacts will occur. DNER authorization may be required for any extraction, removal, excavation, and dredging of the components of the earth's crust.	
Hazards and Nuisances including Site Safety and Noise	Contractors will be required to provide health and safety plans and monitoring during construction. Contractors will be required to comply with the applicable local noise ordinances. Noise impacts will be mitigated by restricting construction activities to daylight hours.	
Solid Waste Disposal / Recycling	All construction debris will be disposed of at the proper facilities for the debris type (i.e. construction waste).	

### Determination:

Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27] The project will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27] The project may significantly affect the quality of the human environment.

Preparer Signature: <u>Ally-ha</u> Date: 1/2/2024

Name/Title/Organization: Allyson Rezac, SWCA Environmental Consultants

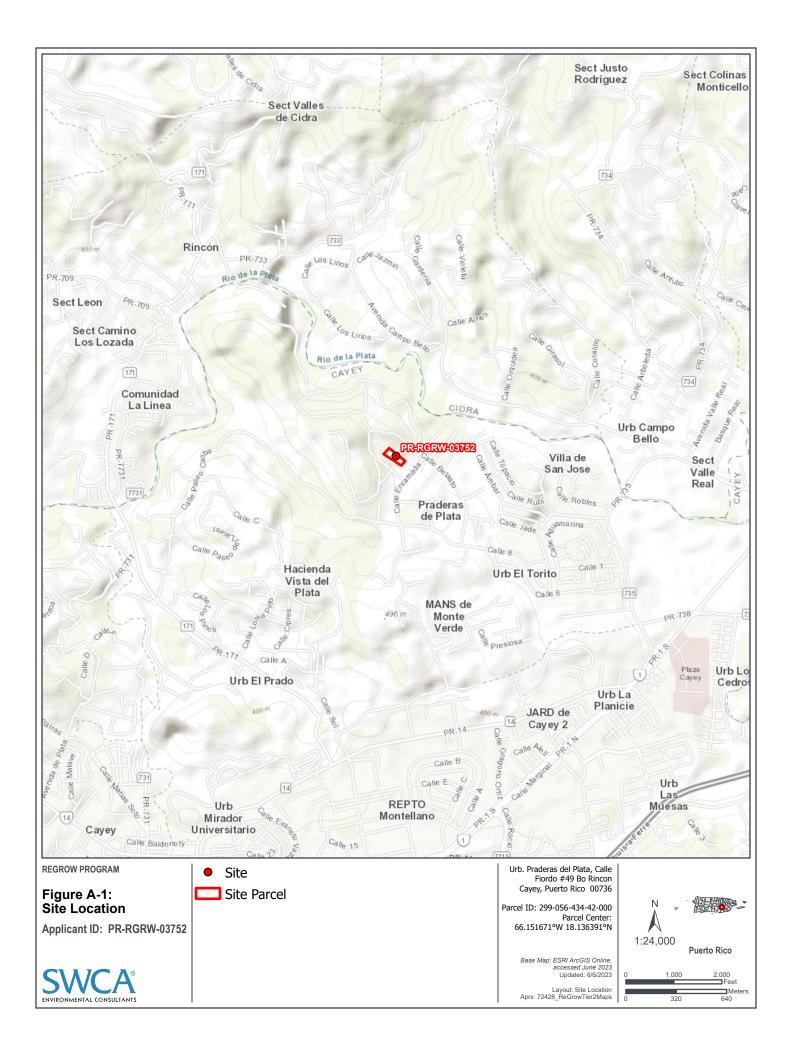
Certifying Officer Signature: Ward Succession Date: January 24, 2024

Name/Title: María T. Torres Bregón, CDBG-DR/MIT Permits and Environmental Compliance Manager

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

# Appendix A Project Overview Figures

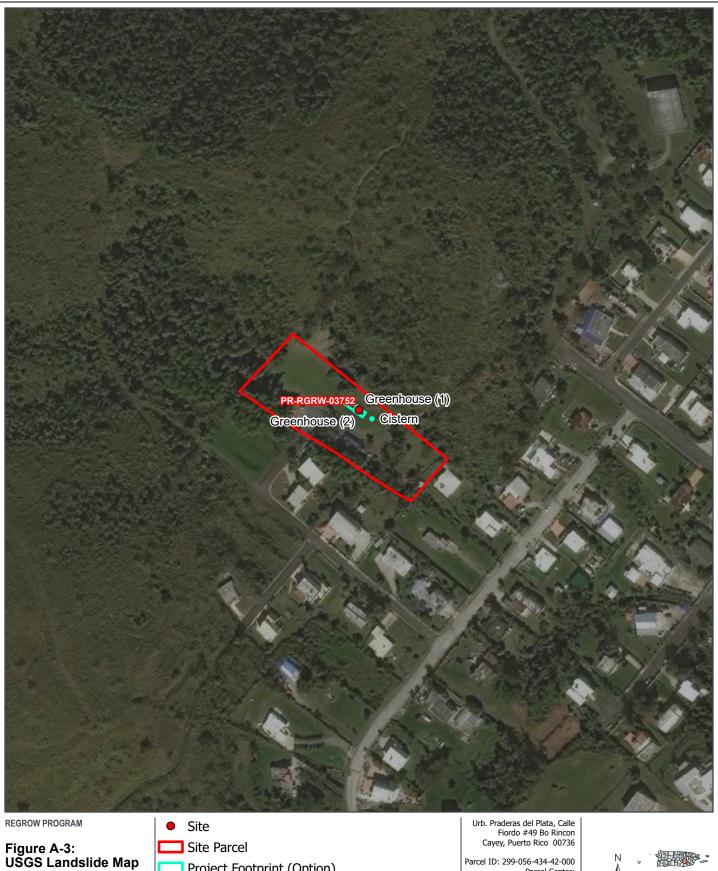
# Figure 1 Site Location Map



# Figure 2 Site Vicinity Map



# Figure 3 USGS Landslide Map



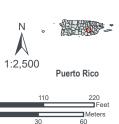
Applicant ID: PR-RGRW-03752



Project Footprint (Option) Greater than 25 Landslides per sq km Less than 25 Landslides per sq km No Landslides Not Examined

Parcel ID: 299-056-434-42-000 Parcel Center: 66.151671°W 18.136391°N

Data Source: https://arcgis.cuahsi.org/ arcgis/rest/services/MariaRAPID/ Hurricane\_Maria\_Landslides/ MapServer Base Map: ESRI ArcGIS Online, accessed June 2023 Updated: 6/6/2023 Layout: Landslide



## Appendix B Attachments and Supporting Documentation

## Attachment 1

## Airport Hazards Partner Worksheet and Airport Hazards Map



#### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

### Airport Hazards (CEST and EA) – PARTNER

https://www.hudexchange.info/environmental-review/airport-hazards

- 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?
  - $\boxtimes$  No  $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within the applicable distances to a military or civilian airport.
  - $\Box$ Yes  $\rightarrow$  Continue to Question 2.
- 2. Is your project located within a Runway Potential Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ)?

 $\Box$ Yes, project is in an APZ  $\rightarrow$  Continue to Question 3.

 $\Box$ Yes, project is an RPZ/CZ  $\rightarrow$  Project cannot proceed at this location.

□No, project is not within an APZ or RPZ/CZ

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Continue to the Worksheet Summary below. Provide a map showing that the site is not within either zone.

### 3. Is the project in conformance with DOD guidelines for APZ?

□Yes, project is consistent with DOD guidelines without further action.

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.

□No, the project cannot be brought into conformance with DOD guidelines and has not been approved.  $\rightarrow$  *Project cannot proceed at this location*.

If mitigation measures have been or will be taken, explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Click here to enter text.

→ Work with the RE/HUD to develop mitigation measures. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.

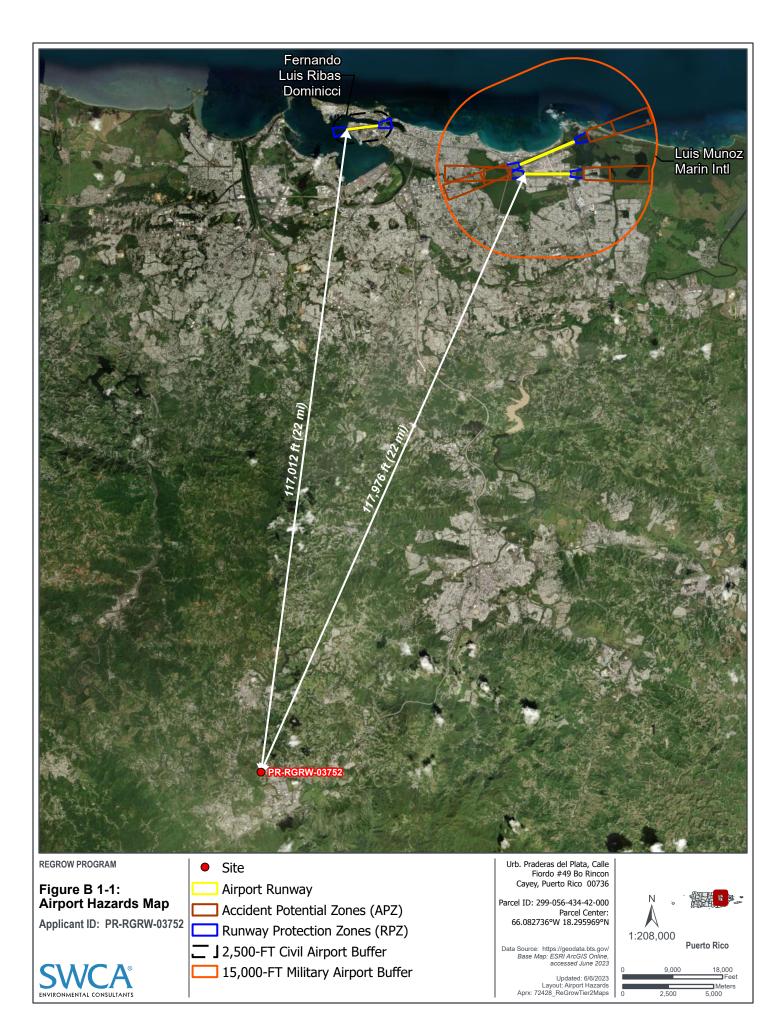
### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

### Include all documentation supporting your findings in your submission to HUD.

The project site is not within 2,500 feet (ft) of a civil primary or commercial service airport or within 15,000 ft of a military airport. The nearest civil primary or commercial service airport, Fernando Luis Ribas Domincci, is located 117,012 ft (22 miles) from the project site. The nearest military airport, Luis Munoz Marin International Airport, is located 117,976 ft (22 miles) from the project site. The project site. The project is in compliance with this section. No further evaluation is required.



## Attachment 2

## Coastal Barrier Resources Act Partner Worksheet and Coastal Barrier Resources Map



#### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

### **Coastal Barrier Resources (CEST and EA) – PARTNER**

https://www.hudexchange.info/environmental-review/coastal-barrier-resources

Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

### Projects located in the following states must complete this form.

### 1. Is the project located in a CBRS Unit?

 $\boxtimes$  No  $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.

### $\Box$ Yes $\rightarrow$ Continue to 2.

<u>Federal assistance for most activities may not be used at this location. You must either</u> <u>choose an alternate site or cancel the project.</u> In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see <u>16 USC 3505</u> for exceptions to limitations on expenditures).

### 2. Indicate your recommended course of action for the RE/HUD

- □ Consultation with the FWS
- $\Box$  Cancel the project

### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

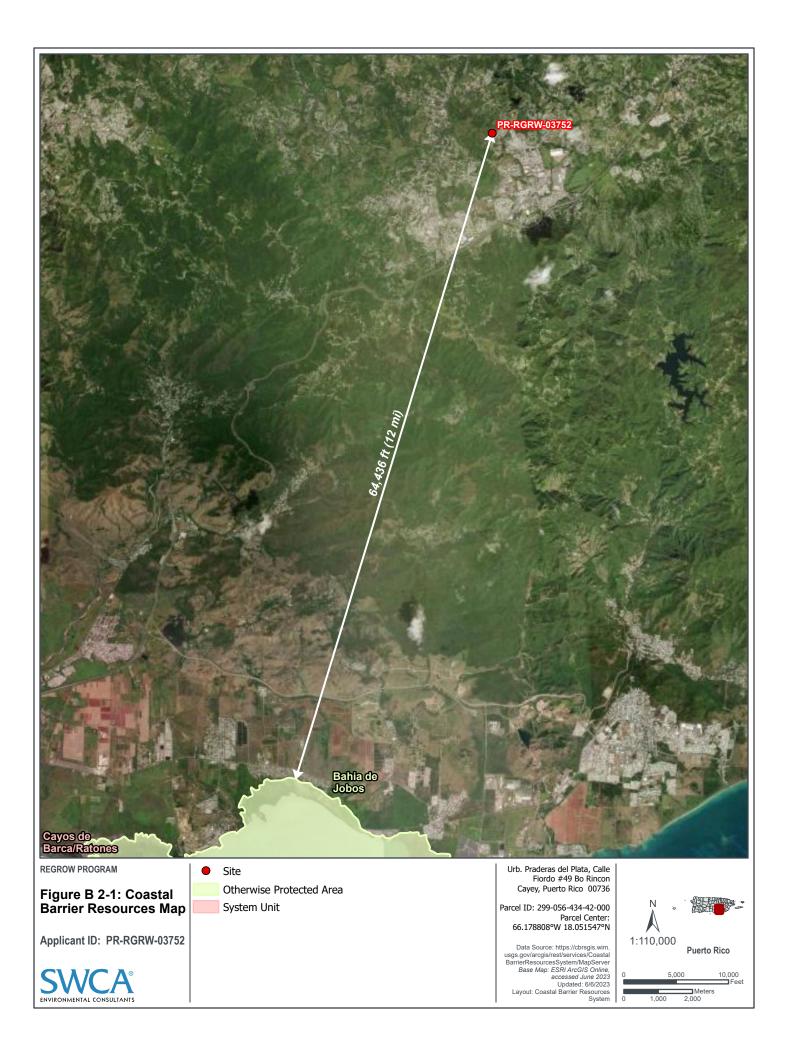
### Include all documentation supporting your findings in your submission to HUD.



#### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

The project site is not located in a Coastal Barrier Resource Systems Unit (CBRS) or Otherwise Protected Area (OPA). The closest CBRS unit or OPA, Bahia de Jobos, is located 64,436 feet (12 miles) from the project site. The project is in compliance with this section. No further evaluation is required.



## Attachment 3

## Flood Insurance Partner Worksheet and Flood Insurance Rate Map





U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

## Flood Insurance (CEST and EA) – PARTNER

https://www.hudexchange.info/environmental-review/flood-insurance

1. Does this project involve mortgage insurance, refinance, acquisition, repairs, rehabilitation, or construction of a structure, mobile home, or insurable personal property?

 $\Box$  No. This project does not require flood insurance or is excepted from flood insurance.  $\rightarrow$  Continue to the Worksheet Summary.

 $\boxtimes$  Yes  $\rightarrow$  Continue to Question 2.

### 2. Provide a FEMA/FIRM map showing the site.

The Federal Emergency Management Agency (FEMA) designates floodplains. The <u>FEMA Map Service</u> <u>Center</u> provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs).

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

- $\boxtimes$  No  $\rightarrow$  Continue to the Worksheet Summary.
- $\Box$  Yes  $\rightarrow$  Continue to Question 3.
- **3.** Is the community participating in the National Flood Insurance Program *or* has less than one year passed since FEMA notification of Special Flood Hazards?
  - Yes, the community is participating in the National Flood Insurance Program.
     Flood insurance is required. Provide a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance.

 $\rightarrow$  Continue to the Worksheet Summary.

- Yes, less than one year has passed since FEMA notification of Special Flood Hazards.
   If less than one year has passed since notification of Special Flood Hazards, no flood Insurance is required.
  - ightarrow Continue to the Worksheet Summary.
- No. The community is not participating, or its participation has been suspended.
   <u>Federal assistance may not be used at this location. Cancel the project at this location.</u>

### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

### Include all documentation supporting your findings in your submission to HUD.

A review of the FEMA Flood Insurance Rate Map (FIRM), Community Panel 72000C1195H (effective date 4/19/2005), shows the project site is in Flood Zone X, which is not in a Special Flood Hazard Area (SFHA). Flood insurance is not required. The project is in compliance with this section. No further evaluation is required.

## Attachment 4

Air Quality Partner Worksheet, List of Non-Attainment/Maintenance Status Counties in Puerto Rico, and Clean Air Map



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

## Air Quality (CEST and EA) – PARTNER

https://www.hudexchange.info/environmental-review/air-quality

**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?

 $\Box$  Yes  $\rightarrow$  Continue to Question 2.

- $\boxtimes$  No  $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Provide any documents used to make your determination.
- 2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

Follow the link below to determine compliance status of project county or air quality management district:

http://www.epa.gov/oaqps001/greenbk/

- No, project's county or air quality management district is in attainment status for all criteria pollutants
  - → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.
- □ Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants.  $\rightarrow$  Continue to Question 3.
- 3. Determine the <u>estimated emissions levels of your project for each of those criteria pollutants</u> that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis or threshold* emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?

□ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Explain how you determined that the project would not exceed de minimis or threshold emissions.

- □ Yes, the project exceeds *de minimis* emissions levels or screening levels.
  - → Continue to Question 4. Explain how you determined that the project would not exceed de minimis or threshold emissions in the Worksheet Summary.
- 4. 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.

Click here to enter text.

### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

### Include all documentation supporting your findings in your submission to HUD.

The proposed site is located within an U.S. Environmental Protection Agency (USEPA) designated nonattainment area. The proposed project will include new construction of two greenhouses but is not anticipated to have negative impact on air quality and will not increase residential density. Emissions associated with the proposed actions are limited to use of small construction equipment and are estimated to be well below the Federal General Conformity Rule de minimis thresholds. Temporary, local air quality impacts may occur during site grading and preparation resulting from dust emissions. Routine dust mitigation BMPs are recommended.

#### Dogo

You are here: EPA Home > Green Book > >National Area and County-Level Multi-Pollutant Information >Puerto Rico Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants

## Puerto Rico Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants

Data is current as of February 28, 2023

Listed by County, NAAQS, Area. The 8-hour Ozone (1997) standard was revoked on April 6, 2015 and the 1-hour Ozone (1979) standard was revoked on June 15, 2005.

\* The 1997 Primary Annual PM-2.5 NAAQS (level of 15 µg/m<sup>3</sup>) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

#### Change the State: PUERTO RICO

PUERTO RICO

Important Note	es		D	ownload Nationa	al Dataset: dbf	xls	Data dictior	nary (PDF)
County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FIPS Codes
<b>PUERTO RI</b>	СО							
Arecibo Municipio	Lead (2008)	Arecibo, PR	11121314151617181920212223	11		Part	32,185	72/013
Bayamon Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	11		Part	22,921	72/021
Catano Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	11		Whole	28,140	72/033
Guaynabo Municipio	PM-10 (1987)	Mun. of Guaynabo, PR	929394959697989900010203040506070809	02/11/2010	Moderate	Part	90,470	72/061
Guaynabo Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	11		Part	23,802	72/061
Salinas Municipio	Sulfur Dioxide (2010)	Salinas PR	181920212223	11		Part	23,401	72/123
San Juan Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	11		Part	147,963	72/127
Toa Baja Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	11		Part	52,441	72/137
Important Note	96							

Important Notes

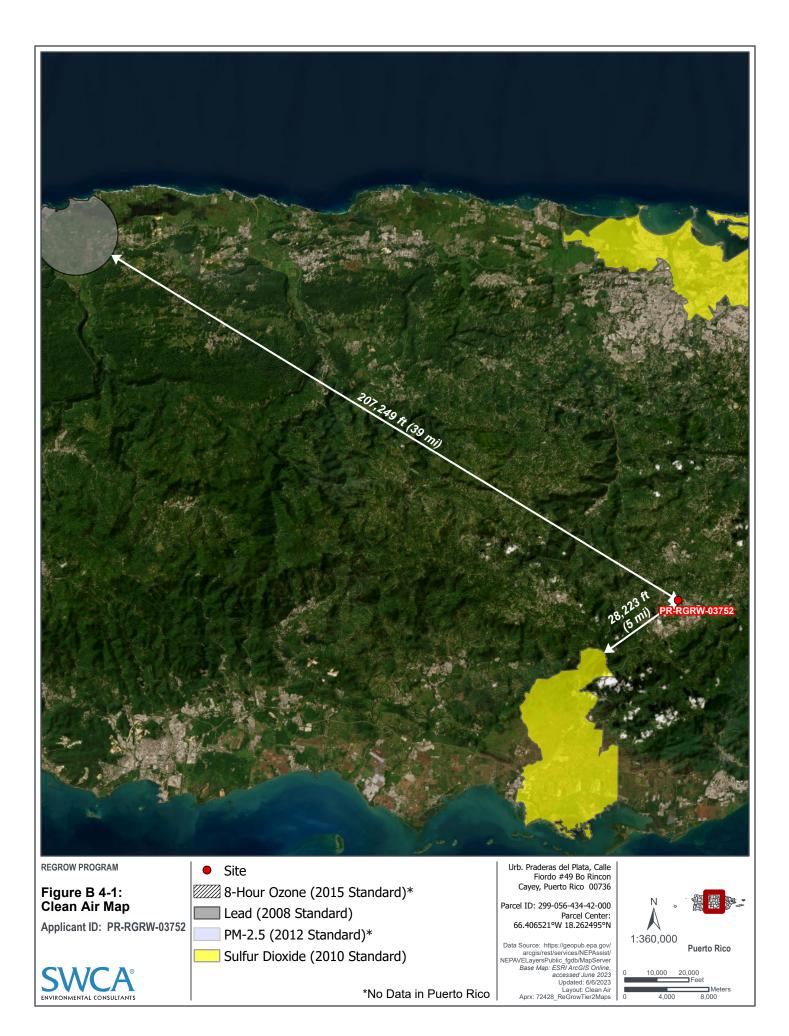
Discover.

Connect.

Ask.

Follow.

2023-02-28



## Attachment 5

## Coastal Zone Management Partner Worksheet and Coastal Zone Map



#### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

## Coastal Zone Management Act (CEST and EA) – PARTNER

https://www.onecpd.info/environmental-review/coastal-zone-management

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas								
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands								
American Samona	Guam	Maryland	New Jersey	Pennsylvania	Virginia								
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington								
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin								
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina									

Projects located in the following states must complete this form.

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

- $\Box$ Yes  $\rightarrow$  Continue to Question 2.
- No → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.

### 2. Does this project include activities that are subject to state review?

- $\Box$ Yes  $\rightarrow$  Continue to Question 3.
- □No → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.
- **3.** Has this project been determined to be consistent with the State Coastal Management Program? □Yes, with mitigation. → The RE/HUD must work with the State Coastal Management Program to develop mitigation measures to mitigate the impact or effect of the project.

 $\Box$ Yes, without mitigation.  $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

 $\Box$ No  $\rightarrow$  <u>Project cannot proceed at this location</u>.

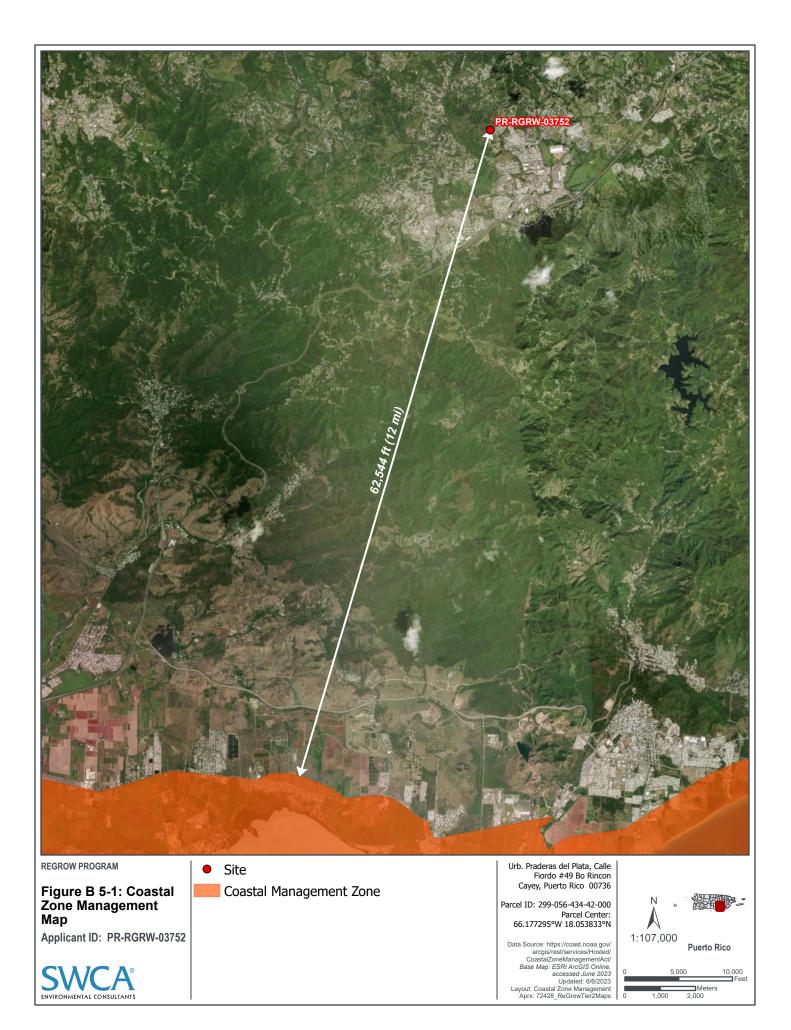
### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

### Include all documentation supporting your findings in your submission to HUD.

The project site is not located within the Puerto Rico Coastal Management Zone. The closest coastal zone area is located 62,554 feet (12 miles) from the project site. The project is in compliance with this section. No further evaluation is required.



## Attachment 6

## Contamination and Toxics Substances Partner Worksheet, Desktop Revieww Summary, and Toxics and Contamination Map



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

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# Contamination and Toxic Substances (Multifamily and Non-Residential Properties) – PARTNER

https://www.hudexchange.info/programs/environmental-review/site-contamination

## **1.** How was site contamination evaluated? <sup>1</sup> Select all that apply.

- □ ASTM Phase I ESA
- □ ASTM Phase II ESA
- □ Remediation or clean-up plan
- □ ASTM Vapor Encroachment Screening
- $oxed{intermat}$  None of the above

 $\rightarrow$  Provide documentation and reports and include an explanation of how site contamination was evaluated in the Worksheet Summary. Continue to Question 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?)

 $\boxtimes$  No  $\rightarrow$  Explain below.

One water discharger is located 1,895 feet away; however, the permit was terminated in 2010 and no activity has been logged since. The site does not pose a hazard to the project.

 $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

 $\Box$  Yes  $\rightarrow$  Describe the findings, including any recognized environmental conditions (RECs), in Worksheet Summary below. Continue to Question 3.

### 3. Can adverse environmental impacts be mitigated?

<sup>&</sup>lt;sup>1</sup> HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site. For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

- $\Box$  Adverse environmental impacts cannot feasibly be mitigated  $\rightarrow$  <u>HUD assistance may not be</u> used for the project at this site. Project cannot proceed at this location.
- □ Yes, adverse environmental impacts can be eliminated through mitigation. → Provide all mitigation requirements<sup>2</sup> and documents. Continue to Question 4.
- 4. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls<sup>3</sup>, or use of institutional controls<sup>4</sup>.

Click here to enter text.

## If a remediation plan or clean-up program was necessary, which standard does it follow?

□ Complete removal

 $\Box$  Risk-based corrective action (RBCA)

 $\rightarrow$  Continue to the Worksheet Summary.

#### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

#### Include all documentation supporting your findings in your submission to HUD.

The project site was evaluated for potential contamination by conducting a field site inspection on 05/25/2023 to identify any onsite hazards including, but not limited to, soil staining, above ground storage tanks, signs of underground storage tanks, odors, hazardous debris etc. The site inspection did not identify any onsite hazards that could not be resolved with mitigation.

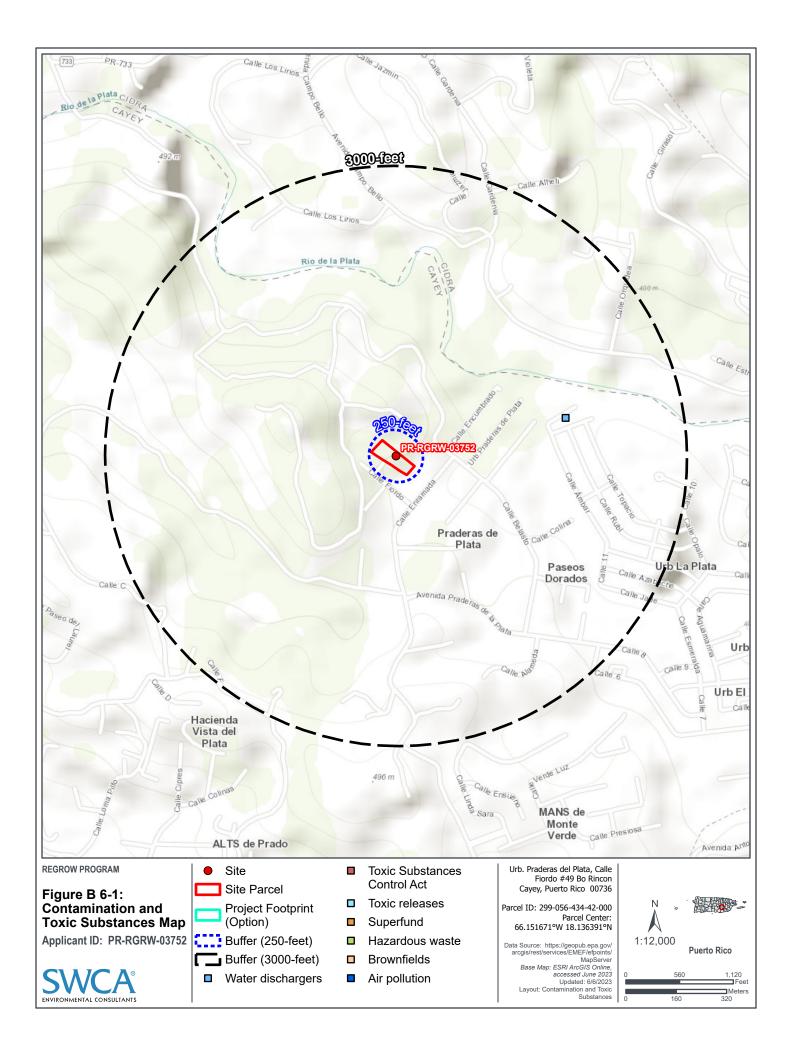
In addition, a desktop review of USEPA databases, NEPAssist, and other sources was conducted to determine if the project site was located near dump sites, junk yards, landfills, hazardous waste sites, or industrial sites, including USEPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. The desktop review did/did not find any of the above-listed toxic,

<sup>&</sup>lt;sup>2</sup> Mitigation requirements include all clean-up actions required by applicable federal, state, tribal, or local law. Additionally, provide, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

<sup>&</sup>lt;sup>3</sup> Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, without limitation, caps, covers, dikes, trenches, leachate collection systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, without limitation, slurry walls and ground water pumping systems.

<sup>&</sup>lt;sup>4</sup> Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

hazardous or radioactive substances in or within 3,000 feet of the project area that could affect the health and safety of project occupants or conflict with the intended use of the property. One water discharger was identified 1,895 feet away; however, its permit was terminated in 2010 and no activity has been logged since. Therefore, the site does not pose a hazard to the project.



### Contamination and Toxics Sites Summary Urb. Praderas del Plata, Calle Fiordo #49 Bo Rincon, Cayey, PR 00736

Database	Primary ID	Facility Name	Facility Address	Secondary ID	Latitude	Longitude	Distance (ft)	Status
Water Discharger	110009814861'	PRASA EL TORITO	MUNICIPALITY OF CAYEY	1563	18.137481	-66.146574	1895	The site does not pose a hazard to the project; the permit was terminated in 2010 and there has been no activity logged since.

Login to ECHO may be temporarily unavailable throughout the day. EPA is working on a solution, we apologize for the inconvenience.

## **Detailed Facility Report**



### **Detailed Facility Report**

### **Facility Summary**

#### PRASA EL TORITO

#### MUNICIPALITY OF CAYEY, CAYEY, PR 00736

FRS (Facility Registry Service) ID: 110009814861 EPA Region: 02 18.137481 Latitude: Longitude: -66.146574 Locational Data Source: NPDES Industries: Indian Country: Ν

#### **Enforcement and Compliance Summary**

Statute	CWA
Compliance Monitoring Activities (5 years)	
Date of Last Compliance Monitoring Activity	08/10/2010
Compliance Status	Terminated Permit
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	
Formal Enforcement Actions (5 years)	
Penalties from Formal Enforcement Actions (5 years)	-
EPA Cases (5 years)	
Penalties from EPA Cases (5 years)	-

#### **Regulatory Information**

Known Data Problems

Clean Air Act (CAA):	No Information		Air Emissions Inventory (E	EIS): No Information	
Clean Water Act (CWA):	Minor, Permit Terminated	d; Compliance Tracking	Greenhouse Gas Emission	ns (eGGRT): No Information	
Off (PR0023779)			Toxic Releases (TRI):	No Information	
Resource Conservation and	Recovery Act (RCRA):	No Information	Compliance and Emission	s Data Reporting Interface (CEDRI):	No
Safe Drinking Water Act (S	DWA): No Information		Information		
<u>Go To Enforcement/Compli</u>	iance Details				

**Other Regulatory Reports** 

## **Facility/System Characteristics**

#### Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		<u>110009814861</u>					N	18.137481	-66.146574
ICIS		37207					N	18.137459	-66.146555

System	Statute	Identifi	r	Universe		Status		Areas	Permit Expiration Da	e Indian Country	y Latitude	Longitude
CIS-NPDES	CWA	PR00237	79 Minor: N	PDES Individua	al Permit	Terminated; Compliance	Tracking Off	POTW, Pretreatme	nt 08/31/2012	Ν	18.139444	-66.14694
acility A	ddress	5										
System	Sta	atute	Identifier		Fa	cility Name		F	acility Address		Facility	County
FRS		1	10009814861	PRASA EL T	ORITO		MUNICIF	PALITY OF CAYEY, C	YEY, PR 00736		Cayey Municip	oio
ICIS	37207 PRASA - JARDINES EL TOR			L TORITO WWTP	STATE RO	DAD 735 (MUNICIPA	LITY), CAYEY, PR 00736		San Juan Mun	icipio		
ICIS-NPDE	DES CWA PR0023779 PRASA EL TORITO					MUNICIF	ALITY OF CAYEY, C	YEY, PR 00633		San Juan Mun	icipio	
acility <u>SI</u> Syster ICIS-NPI	n	Ider	tifier	<b>lassificatic</b> SIC Code 4952		des SIC Description ge Systems	Facility Codes		American Indus		tion Syste	
Syster	n	Ider	tifier	SIC Code		SIC Description	Codes					
Syster ICIS-NPI	n DES	lder PR00	tifier 23779	SIC Code 4952		SIC Description	Codes			N		
Syster ICIS-NPI	n DES	lder PR00	tifier	SIC Code 4952		SIC Description	Codes System	n Identifier	NAICS Code	N		
Syster ICIS-NPI	n DES <b>dustria</b>	Ider PR00 al Efflue	tifier 23779	SIC Code 4952 nes	Sewera	SIC Description	Codes System		NAICS Code	N		
Syster ICIS-NPI	n DES <b>dustria</b>	Ider PR00 al Efflue fluent Guid	tifier 23779 nt Guideli	SIC Code 4952 nes	Sewerag	SIC Description ge Systems	Codes <sub>System</sub> Facility	n Identifier Tribe Informa	NAICS Code	eturned		on
Syster ICIS-NPI	n DES <b>dustria</b>	Ider PR00 al Efflue fluent Guid	tifier 23779 nt Guideli line (40 CFR Pa	SIC Code 4952 nes	Sewerag	SIC Description ge Systems	Codes <sub>System</sub> Facility	n Identifier Tribe Informa	NAICS Code No data records	eturned	AICS Descripti	on
Syster ICIS-NPI acility In Identifier	n DES dustria Eff	Ider PR00 al Efflue fluent Guid	tifier 23779 nt Guideli line (40 CFR Pa	SIC Code 4952 nes int) ords returne	Sewerag	SIC Description ge Systems	Codes <sub>System</sub> Facility	n Identifier Tribe Informa	NAICS Code No data records tion ribe Name EPA Tr	eturned	AICS Descripti	on

compliant							
Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
				No data records returned			

Entries in italics are not counted as EPA official inspections.

#### **Compliance Summary Data**

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Otrs with <u>NC (Noncompliance</u> ) (of 12)	Data Last Refreshed
CWA	PR0023779	No	12/31/2022	0	04/21/2023

#### Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
CWA	CWA (Source ID: PR0023779)		04/01- 06/30/20	07/01- 09/30/20	10/01- 12/31/20	01/01- 03/31/21	04/01- 06/30/21	07/01- 09/30/21	10/01- 12/31/21	01/01- 03/31/22	04/01- 06/30/22	07/01- 09/30/22	10/01- 12/31/22	01/01- 04/21/23
	Facility-Level Status	Terminated Permit												
	Quarterly Noncompliance Report History													
	Permit Schedule Violations													
CWA	Achieve Final Compliance With Emission or Discharge Limits	09/30/2003	<b>→</b>	<b>→</b>	<b>→</b>	<b>→</b>		<b>→</b>	<b>→</b>		<b>→</b>	<b>→</b>	<b>→</b>	
CWA	Achieve Final Compliance With Emission or Discharge Limits	10/15/2003	<b>→</b>											

## Informal Enforcement Actions Last 5 Years 🗸

Statute	System	Source ID	Type of Action	Lead Agency	Date
		No	data records returned		

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Forma	al Enfo	orcement	Action	I <b>S</b> Last	t 5 Yea	rs 🗸	]								
Statute	System	Law/Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	lssued/Filed Date	Settlements/Actions	Settlement/Action Date	Federal Penalty Assessed	State/Local Penalty Assessed	Penalty Amount Collected	SEP Value	Comp Action Cost
	No data records returned														

## **Environmental Conditions**

#### Watersheds

12-Digit <u>WBD</u> (Watershed Boundary <u>Dataset</u> ) HUC ( <u>RAD</u> ( <u>Reach Address</u> <u>Database</u> ))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (I <u>CIS</u> (Integrated <u>Compliance</u> Information <u>System</u> ))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with <u>ESA</u> ( <u>Endangered</u> <u>Species Act</u> )-listed Aquatic Species?
210100050707	Rio de la Plata at Represa Comerio Dam	RIO LA PLATA	No	No	Ammonia nitrogen, total, (as N) 30 day   Arsenic, total (as As)   Cadmium, total (as Cd)   Chromium, hexavalent (as Cr)   Chromium, trivalent (as Cr)   Coliform, fecal - % sample exceeds limit   Coliform, fecal general   Coliform, total general   Copper, total (as Cu)   Lead, total (as Pb)   Nitrite plus nitrate total 1 det. (as N)   Nitrogen, ammonia, total (as N43)   Phosphorus, total (as P)   Selenium, total (as Se)   Silver, total (as Ag)   Solids, suspended percent removal   Solids, total suspended   Turbidity   Zinc, total (as Zn)   pH	Yes

#### Assessed Waters From Latest State Submission (ATTAINS)

Sta	ite	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Aquatic Life	Fish Consumption Use	Recreation Use	Other Use
Р	R	2020	PRER10A5	RIO LA PLATA	Impaired - 303(d) Listed - With Restoration Plan	METALS (OTHER THAN MERCURY)   NUTRIENTS   PATHOGENS   PH/ACIDITY/CAUSTIC CONDITIONS   TURBIDITY	Not Supporting	Not Supporting		Not Supporting	

#### **Air Quality Nonattainment Areas**

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)			
No data recorde ratiurand							
No data records returned							

### **Pollutants**

#### Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

TRI Facility	Year	Total Air	Surface Water	Off-Site Transfers to <u>POTWs (Publicly Owned</u>	Underground	Releases to	Total On-Site	Total Off-Site
ID		Emissions	Discharges	<u>Treatment Works)</u>	Injections	Land	Releases	Transfers
No data records returned								

#### Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name
No data records returned

### Community

#### **Environmental Justice**

This section shows indexes from EJScreen, EPA's screening tool for environmental justice (EJ) concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. Use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the EJScreen home page.

#### **EJScreen Indexes Shown**

Compare to	🔘 US 🔘 State
Index Type	O Environmental Justice  Supplemental

	2 0 11 10	ad Data
Census Block Group ID: 720352602011	US (Percentile)	
Supplemental Indexes	Facility Census Block Group	1-mile Max
Count of Indexes At or Above 80th Percentile	3	7
Particulate Matter 2.5		
Ozone		
Diesel Particulate Matter	6	9
Air Toxics Cancer Risk	62	<b>9</b> 85
Air Toxics Respiratory Hazard Index	33	57
Traffic Proximity	70	<b>9</b> 98
Lead Paint	46	<b>9</b> 92
Risk Management Plan (RMP) Facility Proximity	95	99

#### **Related Reports**

EJScreen Report

Census Block Group ID: 720352602011	US (Percent	tile)
Hazardous Waste Proximity	72	92
Superfund Proximity	98	<b>9</b> 99
Underground Storage Tanks (UST)	0	<b>9</b> 99
Wastewater Discharge	89	0 99



#### Demographic Profile of Surrounding Area (1 mile)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2016 - 2020 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the <u>DFR Data Dictionary</u>.

General Statistics (U.S. Census)		Age Breakdown (U.S. Census) - Persons (%)	
Total Persons	7,335	Children 5 years and younger	379 (5%)
Population Density	2,311/sq.mi.	Minors 17 years and younger	1,770 (24%)
Housing Units in Area	2,855	Adults 18 years and older	5,565 (76%)
		Seniors 65 years and older	829 (11%)
General Statistics (ACS (American Community Survey))			
Total Persons	5,865	Race Breakdown (U.S. Census) - Persons (%)	
Percent People of Color	100%	White	5,851 (80%)
Households in Area	2,154	African-American	493 (7%)
Households on Public Assistance	72	Hispanic-Origin	7,294 (99%)
Persons With Low Income	3,647	Asian/Pacific Islander	6 (0%)
Percent With Low Income	62%	American Indian	18 (0%)
		Other/Multiracial	967 (13%)
Geography			
Radius of Selected Area	1 mi.	Education Level (Persons 25 & older) (ACS (American Communit	<u>y Survey)</u> ) - Persons (%)
Center Latitude	18.137481	Less than 9th Grade	526 (12.02%)
Center Longitude	-66.146574	9th through 12th Grade	202 (4.62%)
Land Area	100%	High School Diploma	1,200 (27.43%)
Water Area	0%	Some College/2-year	637 (14.56%)
		B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	1,323 (30.24%)
Income Breakdown (ACS (American Community Survey))	- Households (%)		
Less than \$15,000	534 (24.79%)		
\$15,000 - \$25,000	427 (19.82%)		
\$25,000 - \$50,000	654 (30.36%)		
\$50,000 - \$75,000	240 (11.14%)		
Greater than \$75,000	299 (13.88%)		

LAST UPDATED ON SEPTEMBER 21, 2022

DATA REFRESH INFORMATION

## Attachment 7

Endangered Species Act Partner Worksheet, Threatened and Endangered Species Technical Memorandum, USFWS IPaC Species List, and Critical Habitat Map



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

## Endangered Species Act (CEST and EA) – PARTNER

https://www.hudexchange.info/environmental-review/endangered-species

- 1. Does the project involve any activities that have the potential to affect species or habitats?
  - $\Box$ No, the project will have No Effect due to the nature of the activities involved in the project.
    - → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

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

### Explain your determination:

Click here to enter text.

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

 $\boxtimes$  Yes, the activities involved in the project have the potential to affect species and/or habitats.  $\rightarrow$  *Continue to Question 2.* 

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

Obtain a list of protected species from the Services. This information is available on the FWS Website.

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

- → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.
- $\boxtimes$  Yes, there are federally listed species or designated critical habitats present in the action area.  $\rightarrow$  Continue to Question 3.

- 3. Recommend one of the following effects that the project will 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.
    - → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.
  - □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.
    - → Partner entities should not contact the Services directly. If the RE/HUD agrees with this recommendation, they will have to complete Informal Consultation. Provide the RE/HUD with a biological evaluation or equivalent document. They may request additional information, including surveys and professional analysis, to complete their consultation.

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

→ Partner entities should not contact the Services directly. If the RE/HUD agrees with this recommendation, they will have to complete Formal Consultation. Provide the RE/HUD with a biological evaluation or equivalent document. They may request additional information, including surveys and professional analysis, to complete their consultation.

### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

### Include all documentation supporting your findings in your submission to HUD.

No suitable habitat for any federal or state listed species is present within the proposed project location and no tree clearing or vegetation removal is proposed as a part of construction activities; therefore, project activities will have *no effect* to any federal listed species or critical habitat and *no impact* on state listed species. The project site is 28 miles away from the closest proposed critical habitat and four miles away from the closest final designated critical habitat. See the attached Threatened and Endangered Species Technical Memorandum.

## **TECHNICAL MEMORANDUM**

For:	Puerto Rico Department of Housing CDBG-DR & CDBG-MIT Program ReGrow Environmental Assessment
From:	Susan Fischer, Wildlife Ecologist
Date:	July 3, 2023
Re:	Threatened and Endangered Species Review for Urb. Praderas del Plata, Calle Fiordo #49 Bo Rincon, Cayey

Applicant Name: Dana I. Lopez Perez DBA Finca Destiny Mio / PR-RGRW-03752 Site Address: Urb. Praderas del Plata, Calle Fiordo #49 Bo Rincon, Cayey, PR 00736 GPS Coordinates: 18.136449, -66.15189

This Threatened and Endangered Species Review evaluates the construction of two greenhouses and installation of a 500-gallon cistern. This parcel is located at Urb. Praderas del Plata, Calle Fiordo #49 Bo Rincon, Cayey, Puerto Rico. To complete this review, the United States Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) system, Puerto Rico Department of Natural and Environmental Resources (DNER) Species Ranges, and Puerto Rico State Wildlife Action Plan\_a Ten Year Review online mapping databases were consulted, then a site inspection performed to evaluate on-site nest and habitat potential. For the purposes of this review, the evaluation encompasses a maximum 100-foot buffer around the proposed project location.

The species list for the site was generated by the USFWS Caribbean Ecological Services Field Office in Boqueron, Puerto Rico (attached). Since all project activities will occur on land, marine and aquatic species have been excluded from the evaluation. For any activities located near wetlands and/or waterbodies, best management practices (BMPs) will be implemented to prevent impacts to freshwater species. According to the IPaC results, the property is located within the habitat range of two terrestrial species considered to be threatened or endangered under the Endangered Species Act:

- Puerto Rican Boa (*Chilabothrus inornatus*)
- Puerto Rican Plain Pigeon (Columba inornate wetmorei)

A review of the Puerto Rico DNER Species Ranges online system indicated the following additional statelisted species may occur in within the review area:

- Sharp-shinned Hawk (*Accipiter striatus venator*)
- Broad-winged Hawk (Buteo platypterus brunnescens)
- Mottled Coqui (*Eleutherodactylus eneidae*)
- Uvillo (*Eugenia haematocarpa*)
- Peregrine falcon (*Falco peregrinus tundrius*)
- Brown Pelican (*Pelecanus occidentalis*)

• Palo de jazmin (*Styrax portoricensis*)

A site inspection on May 25, 2023 found the parcel is situated in an agricultural and residential area. The property is used for agricultural production and the lot consists of vacant, cleared areas. The proposed project area consists of open an open, cleared area. Representative photographs of the subject property are included in the Environmental Field Assessment Photographic Log. The review area does contain trees that could provide suitable habitat to multiple federal- and state-listed species; however, no tree or vegetation removal is planned to occur, and inspectors did not observe any suitable ground or vegetative habitat, individuals, or nests for any listed species at the proposed project location. There is no critical habitat for any species found within the subject property based on the USFWS and Puerto Rico State Wildlife Action Plan\_a Ten Year Review databases.

Based on agency data and site observations, this review concludes that the installation of the new water well on the parcel will result in *no effect* to all federally protected species and *no impact* to all state protected species with the potential to occur in the area.

I can be reached by phone (346-388-1157) or email (Susan.Fischer@swca.com) with any questions or concerns.

Sincerely,

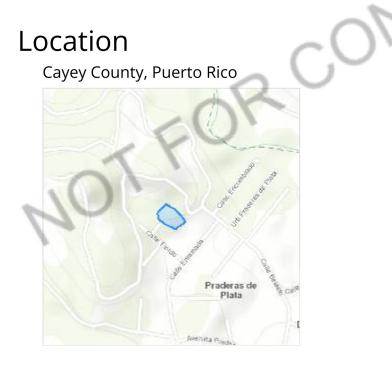
Sutish

Susan Fischer Wildlife Ecologist SWCA Environmental Consultants

# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.



## Local office

Caribbean Ecological Services Field Office

- **(**787) 834-1600
- (787) 851-7440
- ✓ <u>CARIBBEAN\_ES@FWS.GOV</u>

IPaC: Explore Location resources

NOTFORCONSULTATIO

MAILING ADDRESS Post Office Box 491 Boqueron, PR 00622-0491

PHYSICAL ADDRESS Office Park I State Road #2 Km 156.5, Suite 303} Mayaguez, PR 00680

https://ipac.ecosphere.fws.gov/location/UG2V6TP42VBGRAHNCQLH3556XA/resources

## Endangered species

# This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

- 1. Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the <u>Ecological Services Program</u> of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact <u>NOAA Fisheries</u> for <u>species under their jurisdiction</u>.

 Species listed under the <u>Endangered Species Act</u> are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the <u>listing status</u> <u>page</u> for more information. IPaC only shows species that are regulated by USFWS (see FAQ). 2. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Birds NAME STATUS Puerto Rican Plain Pigeon Columba inornata wetmorei Endangered Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/7955 Reptiles STATUS NAME Puerto Rican Boa Chilabothrus inornatus Endangere Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6628 N

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

## Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Managment <u>https://www.fws.gov/program/eagle-management</u>
- Measures for avoiding and minimizing impacts to birds <u>https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds</u>
- Nationwide conservation measures for birds <u>https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf</u>

## What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the <u>Avian Knowledge Network (AKN)</u>. The AKN data is based on a growing collection of <u>survey</u>, <u>banding</u>, <u>and citizen science datasets</u> 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 (<u>Eagle Act</u> requirements may apply). To see a list of all birds potentially present in your project area, please visit the <u>Rapid Avian Information Locator (RAIL) Tool</u>.

## What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS <u>Birds of Conservation Concern (BCC)</u> 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 <u>Avian Knowledge</u> <u>Network (AKN)</u>. The AKN data is based on a growing collection of <u>survey</u>, <u>banding</u>, <u>and citizen science</u> <u>datasets</u> 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 (<u>Eagle Act</u> 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 of all birds potentially present in your project area, please visit the <u>Rapid Avian Information Locator (RAIL) Tool</u>.

## 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 <u>Eagle Act</u> should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

# Migratory birds

Certain birds are protected under the Migratory Bird Treaty  $Act^{1}$  and the Bald and Golden Eagle Protection  $Act^{2}$ .

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.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The <u>Bald and Golden Eagle Protection Act</u> of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <u>https://www.fws.gov/program/migratory-birds/species</u>
- Measures for avoiding and minimizing impacts to birds <u>https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds</u>
- Nationwide conservation measures for birds <u>https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf</u>

# There are no migratory birds of conservation concern expected to occur at this location.

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

<u>Nationwide Conservation Measures</u> 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. <u>Additional measures</u> or <u>permits</u> 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 <u>Birds of Conservation Concern (BCC)</u> 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 <u>Avian Knowledge</u> <u>Network (AKN)</u>. The AKN data is based on a growing collection of <u>survey</u>, <u>banding</u>, <u>and citizen science</u> <u>datasets</u> 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 (<u>Eagle Act</u> requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

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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 <u>Avian Knowledge Network (AKN)</u>. This data is derived from a growing collection of <u>survey, banding,</u> <u>and citizen science datasets</u>.

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 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 <u>RAIL Tool</u> 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 <u>Birds of Conservation Concern</u> (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 <u>Eagle Act</u> 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 <u>Northeast Ocean</u> <u>Data Portal</u>. 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 <u>NOAA NCCOS Integrative Statistical Modeling and Predictive</u> <u>Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf</u> 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 <u>Diving Bird Study</u> and the <u>nanotag studies</u> or contact <u>Caleb Spiegel</u> or <u>Pam Loring</u>.

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

If your project has the potential to disturb or kill eagles, you may need to <u>obtain a permit</u> 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.

## Facilities

### National Wildlife Refuge lands

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> 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 at this location.

### Fish hatcheries

There are no fish hatcheries at this location.

# Wetlands in the National Wetlands Inventory (NWI)

Impacts to <u>NWI wetlands</u> 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>U.S. Army Corps of</u> <u>Engineers District</u>.

### Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the <u>NWI map</u> to view wetlands at this location.

#### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also

been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### Data precautions

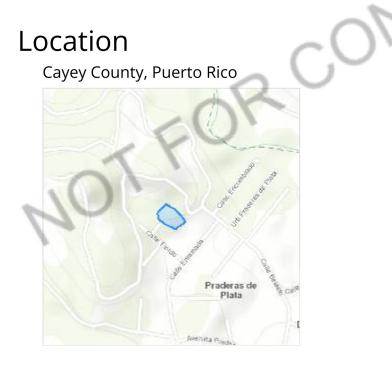
Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

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# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.



### Local office

Caribbean Ecological Services Field Office

- **(**787) 834-1600
- (787) 851-7440
- ✓ <u>CARIBBEAN\_ES@FWS.GOV</u>

IPaC: Explore Location resources

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MAILING ADDRESS Post Office Box 491 Boqueron, PR 00622-0491

PHYSICAL ADDRESS Office Park I State Road #2 Km 156.5, Suite 303} Mayaguez, PR 00680

https://ipac.ecosphere.fws.gov/location/UG2V6TP42VBGRAHNCQLH3556XA/resources

## Endangered species

# This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

- 1. Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the <u>Ecological Services Program</u> of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact <u>NOAA Fisheries</u> for <u>species under their jurisdiction</u>.

 Species listed under the <u>Endangered Species Act</u> are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the <u>listing status</u> <u>page</u> for more information. IPaC only shows species that are regulated by USFWS (see FAQ). 2. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

### Birds NAME STATUS Puerto Rican Plain Pigeon Columba inornata wetmorei Endangered Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/7955 Reptiles STATUS NAME Puerto Rican Boa Chilabothrus inornatus Endangere Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6628 N

### Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

## Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Managment <u>https://www.fws.gov/program/eagle-management</u>
- Measures for avoiding and minimizing impacts to birds <u>https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds</u>
- Nationwide conservation measures for birds <u>https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf</u>

## What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the <u>Avian Knowledge Network (AKN)</u>. The AKN data is based on a growing collection of <u>survey</u>, <u>banding</u>, <u>and citizen science datasets</u> 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 (<u>Eagle Act</u> requirements may apply). To see a list of all birds potentially present in your project area, please visit the <u>Rapid Avian Information Locator (RAIL) Tool</u>.

## What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

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#### 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 <u>Eagle Act</u> should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

# Migratory birds

Certain birds are protected under the Migratory Bird Treaty  $Act^{1}$  and the Bald and Golden Eagle Protection  $Act^{2}$ .

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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# There are no migratory birds of conservation concern expected to occur at this location.

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

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## Facilities

### National Wildlife Refuge lands

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> 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 at this location.

### Fish hatcheries

There are no fish hatcheries at this location.

# Wetlands in the National Wetlands Inventory (NWI)

Impacts to <u>NWI wetlands</u> 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>U.S. Army Corps of</u> <u>Engineers District</u>.

### Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the <u>NWI map</u> to view wetlands at this location.

#### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### Data exclusions

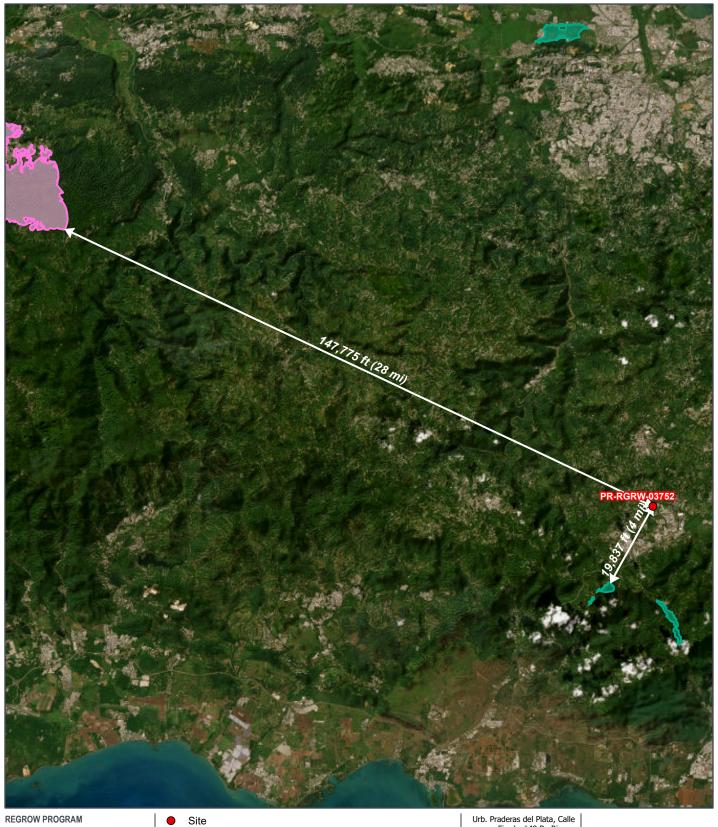
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been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

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REGROW PROGRAM

Figure B 7-1: Critical Habitat Map Applicant ID: PR-RGRW-03752



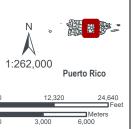


National Wildlife Refuges  $\overline{77}$ 

Urb. Praderas del Plata, Calle Fiordo #49 Bo Rincon Cayey, Puerto Rico 00736

Parcel ID: 299-056-434-42-000 Parcel Center: 66.344151°W 18.199434°N

Data Source: https://services.arcgis. com/QVENGdaPbd4LUkLV/arcgis/ rest/services/USFWS\_Critical\_Habitat/ Base Map: ESRI ArcGIS Online, accessed June 2023 Updated: 6/6/2023 Layout: Critical Habitat Aprx: 72428\_ReGrowTier2Maps



### Attachment 8

## Explosive and Flammable Hazards Partner Worksheet



#### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

#### Explosive and Flammable Hazards (CEST and EA) – PARTNER

https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities

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

⊠ No

 $\rightarrow$  Continue to Question 2.

□ Yes **Explain**: Click here to enter text. → Continue to Question 5.

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

 $\boxtimes$  No  $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

 $\Box$  Yes  $\rightarrow$  Continue to Question 3.

- 3. Within 1 mile of the project site, are there any current *or planned* stationary aboveground storage containers:
  - Of more than 100-gallon capacity, containing common liquid industrial fuels OR
  - Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels?

 $\square$  No  $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.

 $\Box$  Yes  $\rightarrow$  Continue to Question 4.

- **4.** Is the Separation Distance from the project acceptable based on standards in the Regulation? Please visit HUD's website for information on calculating Acceptable Separation Distance.
  - 🗆 Yes
  - → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."

🗆 No

 $\rightarrow$  Continue to Question 6.

Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."

5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit HUD's website for information on calculating Acceptable Separation Distance.

🗆 Yes

 $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

🗆 No

 $\rightarrow$  Continue to Question 6.

Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

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 make the Separation Distance acceptable, including the timeline for implementation. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer. Click here to enter text.

#### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

#### Include all documentation supporting your findings in your submission to HUD.

The project includes the new construction of two greenhouses and the installation of a cistern. The project itself is not the development of a hazardous facility nor will the project increase residential densities. Project activities are therefore an exempt activity. No further evaluation is required.

### Attachment 9

## Farmlands Protection Partner Worksheet and Prime Farmland Map



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

### Farmlands Protection (CEST and EA) - PARTNER

https://www.hudexchange.info/environmental-review/farmlands-protection

- 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?
  - $\Box$  Yes  $\rightarrow$  Continue to Question 2.
  - 🛛 No

 $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

- 2. Does "important farmland," including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site? You may use the links below to determine important farmland occurs on the project site:
  - Utilize USDA Natural Resources Conservation Service's (NRCS) Web Soil Survey <u>http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm</u>
  - Check with your city or county's planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
  - Contact NRCS at the local USDA service center <u>http://offices.sc.egov.usda.gov/locator/app?agency=nrcs</u> or your NRCS state soil scientist <u>http://soils.usda.gov/contact/state\_offices/</u> for assistance
  - □ No → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.
  - $\Box$  Yes  $\rightarrow$  Continue to Question 3.
- 3. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.
  - Complete form <u>AD-1006</u>, "Farmland Conversion Impact Rating" and contact the state soil scientist before sending it to the local NRCS District Conservationist.
  - Work with NRCS to minimize the impact of the project on the protected farmland. When you
    have finished with your analysis, return a copy of form AD-1006 to the USDA-NRCS State Soil
    Scientist or his/her designee informing them of your determination.

Work with the RE/HUD to determine how the project will proceed. Document the conclusion:

□Project will proceed with mitigation.

Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Click here to enter text.

 $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.

□Project will proceed without mitigation.

#### Explain why mitigation will not be made here:

Click here to enter text.

 $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.

#### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

#### Include all documentation supporting your findings in your submission to HUD.

This project does not include any activities that could potentially convert agricultural land to nonagricultural use. No prime farmland or farmlands of statewide importance are within the project area. Although the project includes new construction, the project is exempt from review under the Farmland Protection Policy Act (FFPA) as the project is limited to construction of on-farm structures needed for farm operations. No further review is required.

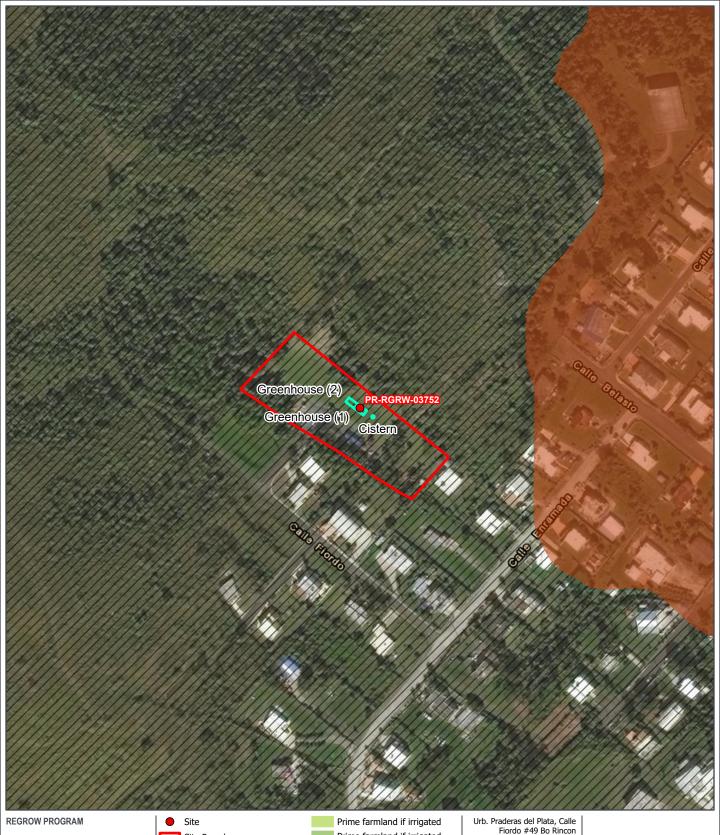


Figure B 9-1: Prime Farmland Map Applicant ID: PR-RGRW-03752



Site Parcel Project Footprint (Option) All areas are prime farmland

Farmland of statewide importance Farmland of statewide importance, if irrigated

Prime farmland if drained

Prime farmland if irrigated and reclaimed of excess salts

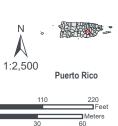
and sodium Prime farmland if protected

from flooding or not frequently flooded during the growing season

Not prime farmland Not Public Information Fiordo #49 Bo Rincon Cayey, Puerto Rico 00736

Parcel ID: 299-056-434-42-000 Parcel Center: 66.151671°W 18.136391°N

Data Source: https:// websoilsurvey.nrcs.usda.gov/app/ Base Map: ESRI ArcGIS Online, accessed June 2023 Updated: 6/6/2023 Layout: Prime Farmland Aprx: 72428\_ReGrowTier2Maps



### Attachment 10

## Floodplain Management Partner Worksheet and Advisory Base Flood Elevation Map



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

### Floodplain Management (CEST and EA) – PARTNER

https://www.hudexchange.info/environmental-review/floodplain-management

1. Does <u>24 CFR 55.12(c)</u> exempt this project from compliance with HUD's floodplain management regulations in Part 55?

🗆 Yes

Provide the applicable citation at 24 CFR 55.12(c) here. If project is exempt under 55.12(c)(6) or (8), provide supporting documentation.

Click here to enter text.

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Continue to the Worksheet Summary.

 $\boxtimes$  No  $\rightarrow$  Continue to Question 2.

#### 2. Provide a FEMA/FIRM map showing the site.

The Federal Emergency Management Agency (FEMA) designates floodplains. The <u>FEMA Map</u> <u>Service Center</u> provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs).

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

 $\boxtimes$  No  $\rightarrow$  Continue to the Worksheet Summary below.

🗆 Yes

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

 $\Box$  Floodway  $\rightarrow$  Continue to Question 3, Floodways

- $\Box$  Coastal High Hazard Area (V Zone)  $\rightarrow$  Continue to Question 4, Coastal High Hazard Areas
- □ 500-year floodplain (B Zone or shaded X Zone)  $\rightarrow$  Continue to Question 5, 500-year Floodplains
- □ 100-year floodplain (A Zone)  $\rightarrow$  The 8-Step Process is required. Continue to Question 6, 8-Step Process

#### 3. Floodways

Is this a functionally dependent use?

🗆 Yes

<u>The 8-Step Process is required.</u> Work with HUD or the RE to assist with the 8-Step Process.  $\rightarrow$  *Continue to Worksheet Summary.* 

□ No  $\rightarrow$  Federal assistance may not be used at this location unless an exception in 55.12(c) applies. You must either choose an alternate site or cancel the project.

#### 4. Coastal High Hazard Area

Is this a critical action such as a hospital, nursing home, fire station, or police station?

 $\Box$  Yes  $\rightarrow$  Critical actions are prohibited in coastal high hazard areas unless an exception in 55.12(c) applies. You must either choose an alternate site or cancel the project.

🗆 No

Does this action include new construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?

- Yes, there is new construction of something that is not a functionally dependent use.
   New construction must be designed to FEMA standards for V Zones at 44 CFR 60.3(e) (24 CFR 55.1(c)(3)(i)).
  - $\rightarrow$  Continue to Question 6, 8-Step Process
- □ No, this action concerns only existing construction.

Existing construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction.  $\rightarrow$  Continue to Question 6, 8-Step Process

#### 5. 500-year Floodplain

#### Is this a critical action?

□ No → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Continue to the Worksheet Summary below.

 $\Box$ Yes  $\rightarrow$  Continue to Question 6, 8-Step Process

#### 6. 8-Step Process.

#### Is this 8-Step Process required? Select one of the following options:

□ 8-Step Process applies.

This project will require mitigation and may require elevating structure or structures. See the link to the HUD Exchange above for information on HUD's elevation requirements.  $\rightarrow$  Work with the RE/HUD to assist with the 8-Step Process. Continue to Worksheet Summary.

□ 5-Step Process is applicable per 55.12(a)(1-3).

Provide the applicable citation at 24 CFR 55.12(a) here.

Click here to enter text.

 $\rightarrow$  Work with the RE/HUD to assist with the 5-Step Process. Continue to Worksheet Summary.

 $\Box$  8-Step Process is inapplicable per 55.12(b)(1-4).

Provide the applicable citation at 24 CFR 55.12(b) here.

Click here to enter text.

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

#### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

#### Include all documentation supporting your findings in your submission to HUD.

A review of the Advisory Base Flood Elevation (ABFE) map, Community Panel 72000C1195H (effective date 4/19/2005), shows the project site is in Flood Zone X. The project is not located in the 100-year floodplain or ABFE special flood hazard area; therefore, no further action is required.

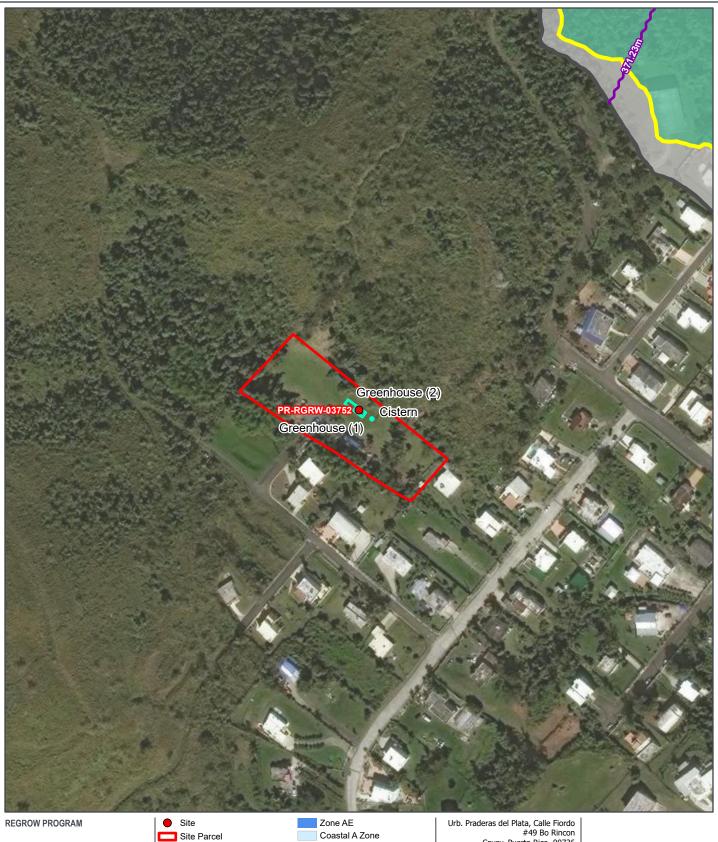


Figure B 10-1: Advisory Base Flood Elevation For 100-Year Floodplain Map

Applicant ID: PR-RGRW-03752

ENVIRONMENTAL CONSULTANTS

Zone A Zone A-Floodway

Advisory Base Flood Elevation (ABFE)

0.2% Annual Chance Flood

1% Annual Chance Flood

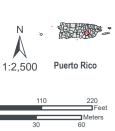
Coastal A Zone and Floodway Project Footprint (Option)

- 💋 Zone AE-Floodway
- Zone AO
  - Zone VE Zone X (500-year floodplain)
  - Zone/BFE Boundary

Urb. Praderas del Plata, Calle Fiordo #49 Bo Rincon Cayey, Puerto Rico 00736

Parcel ID: 299-056-434-42-000 Parcel Center: 66.151671°W 18.136391°N

Data Source: https://gis.fema.gov/arcgis/rest/ services/DR/PuertoRico\_ABFE\_1PC1/ MapServer Base Map: ESRI ArcGIS Online, accessed June 2023 Updated: 6i/0/203 Layout:ABFE 1Pct Aprx: 72428\_ReGrowTier2Maps



### Attachment 11

## Historic Preservation Partner Worksheet and SHPO Consultation



#### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

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### Historic Preservation (CEST and EA) – PARTNER

https://www.hudexchange.info/environmental-review/historic-preservation

#### Threshold

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

□ No, because a Programmatic Agreement states that all activities included in this project are exempt. (See the PA Database to find applicable PAs.)

Either provide the PA itself or a link to it here. Mark the applicable exemptions or include the text here:

Click here to enter text.

 $\rightarrow$  Continue to the Worksheet Summary.

□ 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)].

Either provide the memo itself or a link to it here. Explain and justify the other determination here:

Click here to enter text.

 $\rightarrow$  Continue to the Worksheet Summary.

 $\boxtimes$  Yes, because the project includes activities with potential to cause effects (direct or indirect).  $\rightarrow$  *Continue to Step 1.* 

#### The Section 106 Process

After determining the need to do a Section 106 review, HUD or the RE will initiate consultation with regulatory and other interested parties, identify and evaluate historic properties, assess effects of the project on properties listed on or eligible for the National Register of Historic Places, and resolve any adverse effects through project design modifications or mitigation.

Step 1: Initiate consultation

Step 2: Identify and evaluate historic properties

Step 3: Assess effects of the project on historic properties

Step 4: Resolve any adverse effects

Only RF or HUD staff may initiate the Section 106 consultation process. Partner entities may gather information, including from SHPO records, identify and evaluate historic properties, and make initial assessments of effects of the project on properties listed in or eligible for the National Register of Historic Place. Partners should then provide their RE or HUD with all of their analysis and documentation so that they may initiate consultation.

#### **Step 1 - Initiate Consultation**

The following parties are entitled to participate in Section 106 reviews: Advisory Council on Historic Preservation; State Historic Preservation Officers (SHPOs); federally recognized Indian tribes/Tribal Historic Preservation Officers (THPOs); Native Hawaiian Organizations (NHOs); local governments; and project grantees. The general public and individuals and organizations with a demonstrated interest in a project may participate as consulting parties at the discretion of the RE or HUD official. Participation varies with the nature and scope of a project. Refer to HUD's website for guidance on consultation, including the required timeframes for response. Consultation should begin early to enable full consideration of preservation options.

Use the <u>When To Consult With Tribes checklist</u> within <u>Notice CPD-12-006</u>: <u>Process for Tribal Consultation</u> to determine if the RE or HUD should invite tribes to consult on a particular project. Use the <u>Tribal</u> <u>Directory Assessment Tool (TDAT)</u> to identify tribes that may have an interest in the area where the project is located. Note that only HUD or the RE may initiate consultation with Tribes. Partner entities may prepare a draft letter for the RE or HUD to use to initiate consultation with tribes, but may not send the letter themselves.

### List all organizations and individuals that you believe may have an interest in the project here: SHPO, PRDOH, Applicant

 $\rightarrow$  Continue to Step 2.

#### Step 2 - Identify and Evaluate Historic Properties

Provide a preliminary definition of the Area of Potential Effect (APE), either by entering the address(es) or providing a map depicting the APE. Attach an additional page if necessary.

The applicant has identified three locations for project activities:

- Greenhouse 1 Location (18.136421, -66.151722)
- Greenhouse 2 Location (18.136421, -66.151722)
- Cistern Location (18.136338, -66.151590)

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

Gather information about known historic properties in the APE. Historic buildings, districts and archeological sites may have been identified in local, state, and national surveys and registers, local historic districts, municipal plans, town and county histories, and local history websites. If not already listed on the National Register of Historic Places, identified properties are then evaluated to see if they are eligible for the National Register. Refer to HUD's website for guidance on identifying and evaluating historic properties.

In the space below, list historic properties identified and evaluated in the APE.

Every historic property that may be affected by the project should be listed. For each historic property or district, include the National Register status, whether the SHPO has concurred with the finding, and whether information on the site is sensitive. Attach an additional page if necessary.

Archaeology: Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information by a Program contracted archaeologist meeting the Secretary of the Interior's (SOI) Professional Qualification Standards (36 CFR Part 61) who searched the records at the SHPO and the Instituto de Cultura Puertorriqueña which shows that there are no reported archaeological materials or significant cultural properties within a half-mile (mi) radius of the project location. Four (4) archaeological evaluations and two (2) studies of cultural resources have been conducted within the 0.5 mi review radius with no cultural resources found; see below for further discussion of these investigations. The proposed project is located in a suburban area of Cayey, in the southeast-central portion of the island at an elevation of 1,230 ft (approx. 375 m) above mean sea level. Per the USGS/NRCS Web Soil Survey, the project area crosses two mapped soil series: MxE (Mucara Clay, 20-40 percent slopes) and MxF (Mucara Clay, 40-60 percent slopes). The project area APE is located in a generally flat area at the base of southwest-trending hillslope surrounded by tropical vegetation and pockets of secondary forest. The general project area is in a suburban area surrounded by low-lying mountains and active agriculture. The closest freshwater source is the Rio de la Plata, located 0.2 mi (0.34 kilometers [km]) due northeast of the project area. The nearest coast is located approximately 12.6 mi (20.3 km) south-southeast of the project area.

Architecture: Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61) shows that the project area is not within the boundaries of a National Register of Historic Places (NRHP)-eligible/listed Traditional Urban Center or Historic District. The closest survey is Código SHPO 07-01-09-01 which was performed in 2015 for the rehabilitation of various houses using Community Development Block Grants. Fifteen (15) different houses were surveyed, however only seven (7) are within the APE for this project and the closest one is 0.39 mi (0.63 km) to the southeast of the project site. Determinations of No Historic Properties Affected were returned for all houses studied within the APE. The project area is in a suburban area of Cayey, on the northwestern corner of Praderas de Plata. The area is mountainous with tropical vegetation. The project site sits near the base of a hill with modern construction and vegetation encircling the property. Buildings to the south and southeast are not on 1958 or 1962 historic aerials (https://www.historicaerials.com/viewer), and aerials from 1985 still show no housing units in the area (https://www.googleearth.com). None of the properties that are currently in the area will be able to see the project site as it is encircled by heavy vegetation.

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

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

If the APE contains previously unsurveyed buildings or structures over 50 years old, or there is a likely presence of previously unsurveyed archeological sites, a survey may be necessary. For Archeological surveys, refer to HP Fact Sheet #6, <u>Guidance on Archeological Investigations in HUD Projects</u>.

 $\Box$  Yes  $\rightarrow$  *Provide survey(s) and report(s) and continue to Step 3.* Additional notes:

Click here to enter text.

#### $\boxtimes$ No $\rightarrow$ Continue to Step 3.

#### Step 3 - Assess Effects of the Project on Historic Properties

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

#### Choose one of the findings below to recommend to the RE or HUD.

Please note: this is a recommendation only. It is **not** the official finding, which will be made by the RE or HUD, but only your suggestion as a Partner entity.

#### ⊠ <u>No Historic Properties Affected</u>

Document reason for finding:

 $\boxtimes$  No historic properties present.

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

#### □ <u>No Adverse Effect</u>

#### Document reason for finding and provide any comments below.

Comments may include recommendations for mitigation, monitoring, a plan for unanticipated discoveries, etc.

Click here to enter text.

#### □ <u>Adverse Effect</u>

#### **Document reason for finding:**

Copy and paste applicable Criteria into text box with summary and justification. Criteria of Adverse Effect: <u>36 CFR 800.5</u>] Click here to enter text.

#### Provide any comments below:

The project will involve new construction of two greenhouses and installation of a cistern on an undeveloped property and significant ground disturbing activities of previously undisturbed soil. State Historic Preservation Office (SHPO) consultation was performed.

No National Historic Landmark (NHL) are within or near the project area.

A site visit was conducted on 05/25/2023 by an SOI-qualified Archaeologist. Record reviews and research were conducted at the SHPO and the Institute for Puerto Rican Culture (ICP) to determine if any archaeologically sensitive resources could be present within a 0.5-mile radius.

The results of the Record Search and the Site Inspection indicate that there are no historic properties or cultural resources within the 0.50-mile radius study area or within the project Area of Potential Effect (APE). Based on the results of the historic property identification efforts, the Program has determined that project actions will not affect historic properties that compose the APE.

The determination was submitted to SHPO by PRDOH for concurrence on July 24, 2023, and SHPO concurred with the No Historic Properties Affected determination on August 4, 2023. No further evaluation is required. The project is in compliance with the National Historic Preservation Act.

Remember to provide all documentation that justifies your National Register Status determination and recommendations along with this worksheet.



### **GOVERNMENT OF PUERTO RICO**

STATE HISTORIC PRESERVATION OFFICE

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

August 4, 2023

### Lauren Bair Poche

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

SHPO: 07-24-23-04 PUERTO RICO DISASTER RECOVERY, CDBG-DR RE-GROW PR URBAN-RURAL AGRICULTURAL RE-GROW PROGRAM, PR-RGRW-03752, DANA I. LÓPEZ PÉREZ DBA FINCA DESTINY MIO, URB. PRADERAS DEL PLATA, CALLE FIORDO #49, BO. RINCÓN, CAYEY, PUERTO RICO

Dear Ms. Poche,

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

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

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

Sincerely,

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



OFICINA ESTATAL DE CONSERVACIÓN HISTÓRICA OFICINA DEL CORERNADOR

STATE HISTORIC PRESERVATION OFFICE

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



July 24, 2023

Carlos A. Rubio Cancela State Historic Preservation Officer Puerto Rico State Historic Preservation Office Cuartel de Ballajá (Tercer Piso) San Juan, PR 00902-3935

Puerto Rico Disaster Recovery, CDBG-DR Re-Grow PR Urban-Rural Agricultural (Re-Grow PR) Program

Section 106 NHPA Effect Determination Submittal: PR-RGRW-03752 – Dana I. Lopez Perez Dba Finca Destiny Mio – Urb. Praderas del Plata, Calle Fiordo #49 Barrio Rincon, Cayey, Puerto Rico – *No Historic Properties Affected* 

Dear Architect Rubio Cancela,

In accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800, HORNE is providing information for your review and requesting your concurrence regarding the above-referenced projects on behalf of the Puerto Rico Department of Housing (PRDOH) and the Home Repair, Reconstruction, or Relocation (R3) Program. On February 9, 2018, an allocation of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds was approved by the United States Department of Housing and Urban Development (HUD) under the Federal Register Volume 83, No. 28, 83 FR 5844, to assist the Commonwealth of Puerto Rico in meeting unmet needs in the wake of Hurricanes Irma and Maria. On August 14, 2018, an additional \$8.22 billion recovery allocation was allocated to Puerto Rico under the Federal Register Volume 83, No. 157, 83 FR 40314. With these funding allocations, the Puerto Rico Department of Housing (Housing) aims to lead a comprehensive and transparent recovery for the benefit of Puerto Rico residents.

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, we are submitting documentation for activities proposed by Dana I. Lopez Perez Dba Finca Destiny Mio in Bo. Rincon at Urb. Praderas del Plata, Calle Fiordo #49 in the municipality of Cayey. The proposed activities include the construction and installation of two (2) new greenhouses, a cistern and the purchase of a plow, water pump, pruning equipment, seeds, fertilizer, and labor. The equipment purchase is an exempt activity under 24 CFR 58.34(7) and is not further evaluated in this document. The two (2) new greenhouses will be approximately 288 square feet (sq. ft) in size (12 feet [ft] by 24 ft). Each greenhouse will be secured with four (4) vertical poles, eight (8) in total, that are each 2 ft by 2 ft and extend 2 ft below ground surface. No platform is necessary as the applicant will cultivate directly in the ground. The 500-gallon cistern will be 6 ft by 6 ft with a height of 12 ft. Four (4) hardwood blocks will form a square platform that is filled with gravel, which will level the area for the cistern. The cistern will be installed next to the two (2) greenhouses.

The applicant will use a hose to water the crops in the greenhouse, which sources potable water from the aqueduct. The applicant will eventually use the rainwater collected in the cistern for irrigation. The electrical system runs underground to the existing recreational vehicle platform. An aboveground cable from an electric



pedestal on the platform to the greenhouses must be installed. Installation of electrical and water utilities is not included in the applicant's Intended Use of Grant Funds application. No pruning or tree clearing is required for construction. The site is on a slight slope and leveling may be required. The applicant owns the property; therefore, no acquisition is required.

Based on the submitted documentation, the Program requests a concurrence that a determination of No Historic Properties Affected is appropriate for this proposed project.

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

Kindest regards,

fauen D. Yoch

Lauren Bair Poche, M.A. Architectural Historian, Historic Preservation Senior Manager

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination



Applicant: DANA I. LOPEZ PEREZ DBA FINCA DESTINY MIO

Case ID: PR-RGRW-03752

City: Cayey

Project Location: Urb. Praderas del Plata, Calle Fiordo #49 Bo Rincon, Cayey, PR 00736	
Project Coordinates: Greenhouse 1 Location (18.136381, -66.151667)	
Greenhouse 2 Location (18.136421, -66.151722)	
Cistern Location (18.136338, -66.151590)	
<b>TPID</b> (Número de Catastro): 299-056-434-42-000	
Type of Undertaking:	
Substantial Repair/Improvements	
☑ New Construction	
Construction Date (AH est.): Bathroom: ca.	Property Size (acres): 1.46 acres
2012; Neighbors House: ca. 2004	Greenhouse 1 & 2: 288 square feet (0.007714
	acres)
	Cistern: 28 square feet (0.000649 acres)

SOI-Qualified Architect/Architectural Historian: Erin Edwards, M.P.S.	
Date Reviewed: June 9, 2023	
SOI-Qualified Archaeologist: Delise Torres-Ortiz	
Date Reviewed: June 26, 2023	

In compliance with Section 106 of the National Historic Preservation Act (NHPA), the Program is responsible for identifying historic properties listed in the NRHP and any properties not listed that would be considered eligible for listing that are located within the geographic area of potential effects (APE) of the proposed project and assessing the potential effects of its undertakings on these historic properties.

#### Project Description (Undertaking)

The proposed project includes the construction and installation of two (2) new greenhouses, a cistern and the purchase of a plow, water pump, pruning equipment, seeds, fertilizer, and labor. The equipment purchase is an exempt activity under 24 CFR 58.34(7) and is not further evaluated in this document.

The two (2) new greenhouses will be approximately 288 square feet (sq. ft) in size (12 feet [ft] by 24 ft). Each greenhouse will be secured with four (4) vertical poles, eight (8) in total, that are each 2 ft by 2 ft and extend 2 ft below ground surface. No platform is necessary as the applicant will cultivate directly in the ground. The 500-gallon cistern will be 6 ft by 6 ft with a height of 12 ft. Four (4) hardwood blocks will form a square platform that is filled with gravel, which will level the area for the cistern. The cistern will be installed next to the two (2) greenhouses.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	GOVERNMENT OF PUERTO RICO
Applicant: DANA I. LOPEZ PEREZ DBA FINCA DESTINY MIO	
Case ID: PR-RGRW-03752	City: Cayey

The applicant will use a hose to water the crops in the greenhouse, which sources potable water from the aqueduct. The applicant will eventually use the rainwater collected in the cistern for irrigation. The electrical system runs underground to the existing recreational vehicle platform. An aboveground cable from an electric pedestal on the platform to the greenhouses must be installed. Installation of electrical and water utilities is not included in the applicant's Intended Use of Grant Funds application.

No pruning or tree clearing is required for construction. The site is on a slight slope and leveling may be required. The applicant owns the property; therefore, no acquisition is required.

### Area of Potential Effects

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

# Identification of Historic Properties - Archaeology

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information by a Program contracted archaeologist meeting the Secretary of the Interior's (SOI) Professional Qualification Standards (36 CFR Part 61) who searched the records at the SHPO and the Instituto de Cultura Puertorriqueña which shows that there are no reported archaeological materials or significant cultural properties within a half-mile (mi) radius of the project location. Four (4) archaeological evaluations and two (2) studies of cultural resources have been conducted within the 0.5 mi review radius with no cultural resources found; see below for further discussion of these investigations. The proposed project is located in a suburban area of Cayey, in the southeast-central portion of the island at an elevation of 1,230 ft (approx. 375 m) above mean sea level. Per the USGS/NRCS Web Soil Survey, the project area crosses two mapped soil series: MxE (Mucara Clay, 20-40 percent slopes) and MxF (Mucara Clay, 40-60 percent slopes). The project area APE is located in a generally flat area at the base of southwest-trending hillslope surrounded by

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	GOVERNMENT OF PUERTO RICO
Applicant: DANA I. LOPEZ PEREZ DBA FINCA DESTINY MIO	• , ,
Case ID: PR-RGRW-03752	City: Cayey

tropical vegetation and pockets of secondary forest. The general project area is in a suburban area surrounded by low-lying mountains and active agriculture. The closest freshwater source is the Rio de la Plata, located 0.2 mi (0.34 kilometers [km]) due northeast of the project area. The nearest coast is located approximately 12.6 mi (20.3 km) south-southeast of the project area.

### Identification of Historic Properties - Architecture

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

The closest survey is Código SHPO 07-01-09-01 which was performed in 2015 for the rehabilitation of various houses using Community Development Block Grants. Fifteen (15) different houses were surveyed, however only seven (7) are within the APE for this project and the closest one is 0.39 mi (0.63 km) to the southeast of the project site. Determinations of No Historic Properties Affected were returned for all houses studied within the APE.

The project area is in a suburban area of Cayey, on the northwestern corner of Praderas de Plata. The area is mountainous with tropical vegetation. The project site sits near the base of a hill with modern construction and vegetation encircling the property. Buildings to the south and southeast are not on 1958 1962 historic aerials or (https://www.historicaerials.com/viewer), and aerials from 1985 still show no housing units in the area (https://www.googleearth.com). None of the properties that are currently in the area will be able to see the project site as it is encircled by heavy vegetation.

### Determination

The following historic properties have been identified within the APE:

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

Based on the results of our historic property identification efforts, the Program has determined that project actions will not affect historic properties that compose the Area of

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	GOVERNMENT OF PUERTO RICO
Applicant: DANA I. LOPEZ PEREZ DBA FINCA DESTINY MIO	
Case ID: PR-RGRW-03752	City: Cayey

Potential Effect. The project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. There are no reported archaeological materials or significant cultural properties within a half-mile radius of the proposed project location. No known archaeological sites or NRHP listed/eligible historic properties are within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-03752 is located. The closest freshwater body is approximately 0.2 mi (0.34 km) to the northeast of the project area. The size of the proposed project area is small (1.46 acres), it is situated in a sloping area with little potential structures/urban infrastructure has impacted the surrounding terrain. Therefore, no impact to cultural properties is anticipated for this construction project.

 PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
 Image: Comparison of the puerto Rico Program

 ReGrow Puerto Rico Program
 Section 106 NHPA Effect Determination

 Applicant: DANA I. LOPEZ PEREZ DBA FINCA DESTINY MIO
 City: Cayey

### Recommendation (Please ke(ep on same page as SHPO Staff Section)

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

 $\boxtimes$  No Historic Properties Affected

□ No Adverse Effect

Condition (if applicable):

□ Adverse Effect

Proposed Resolution (if appliable)

# This Section is to be Completed by SHPO Staff Only

The Puerto Rico State Historic Preservation Office has reviewed the above information and:

**Concurs** with the information provided.

Does not concur with the information provided.

### Comments:

Carlos Rubio-Cancela State Historic Preservation Officer Date:



Applicant: DANA I. LOPEZ PEREZ DBA FINCA DESTINY MIO

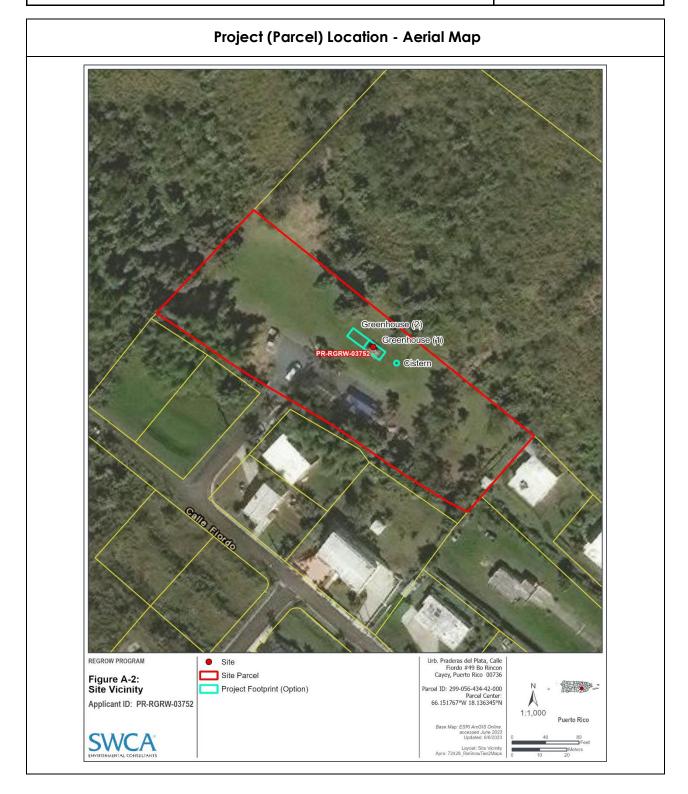
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Applicant: DANA I. LOPEZ PEREZ DBA FINCA DESTINY MIO

Case ID: PR-RGRW-03752

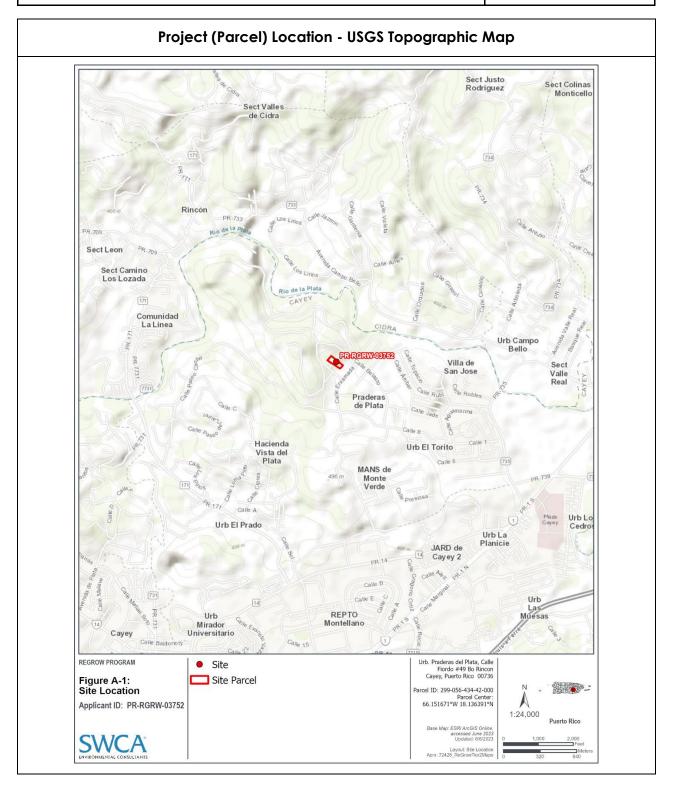


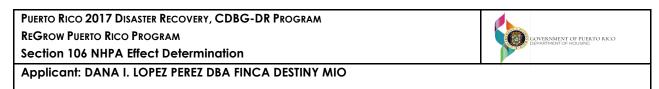




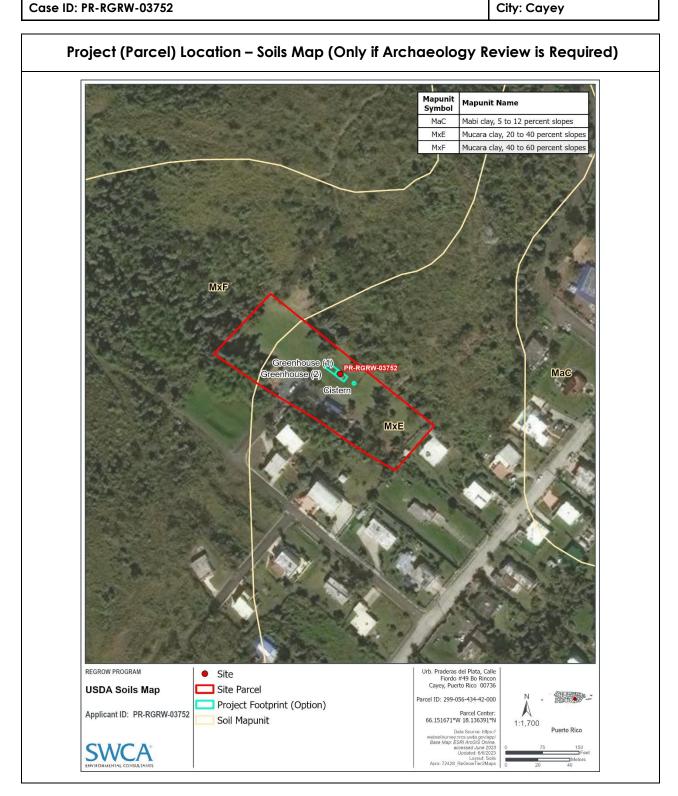
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Case ID: PR-RGRW-03752





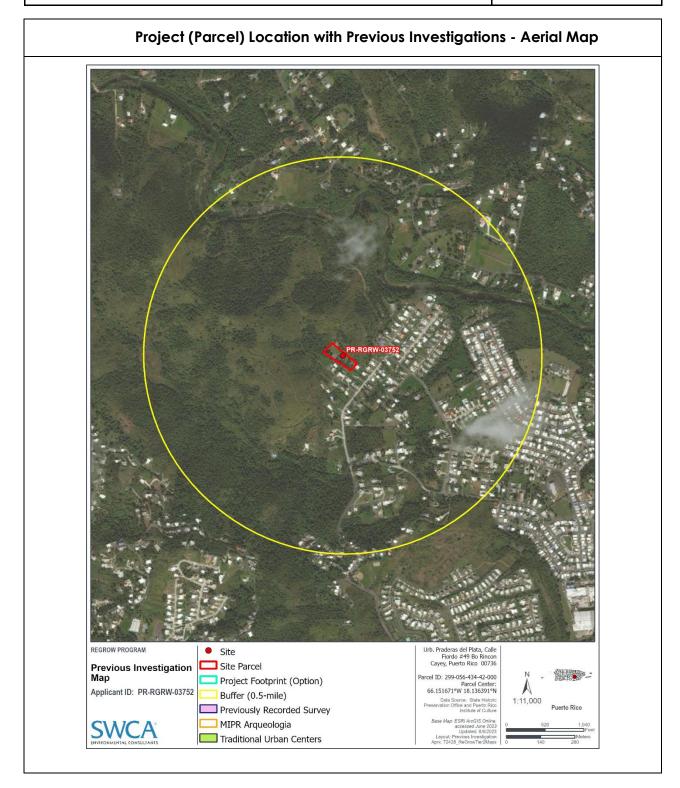
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Applicant: DANA I. LOPEZ PEREZ DBA FINCA DESTINY MIO

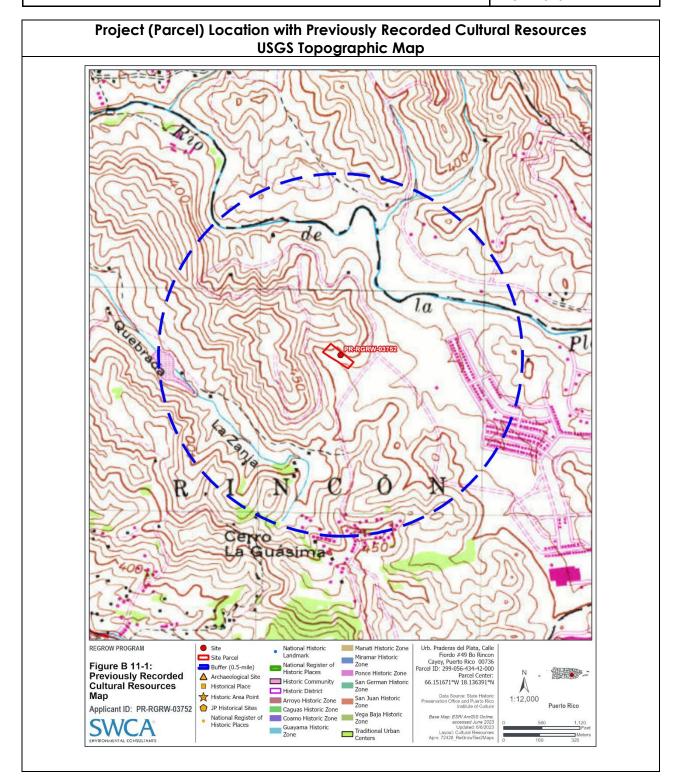
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Applicant: DANA I. LOPEZ PEREZ DBA FINCA DESTINY MIO

Case ID: PR-RGRW-03752





Applicant: DANA I. LOPEZ PEREZ DBA FINCA DESTINY MIO

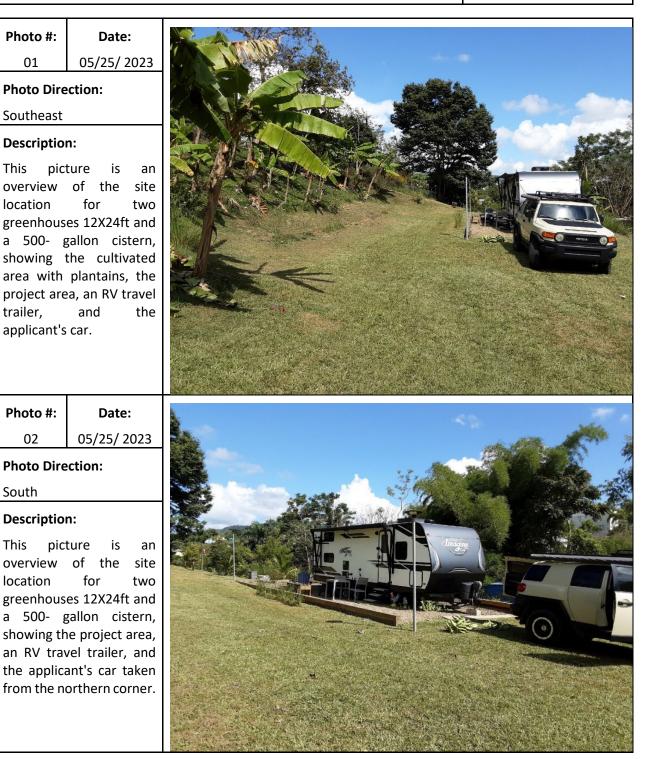
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GOVERNMENT OF PUERTO RICO

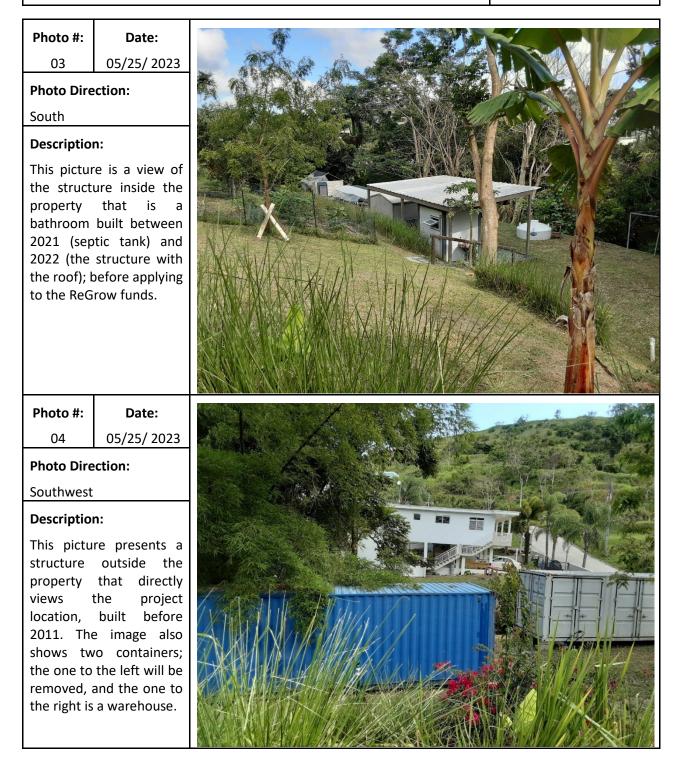
Case ID: PR-RGRW-03752





Applicant: DANA I. LOPEZ PEREZ DBA FINCA DESTINY MIO

Case ID: PR-RGRW-03752







October 20, 2022

# Arch. Carlos A. Rubio Cancela

Executive Director State Historic Preservation Officer Cuartel de Ballajá Bldg. San Juan, Puerto Rico

### **Re:** Authorization to Submit Documents

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

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

CDBG-DR FUNDS I HOUSING

# Attachment 12

# Wetlands Protection Partner Worksheet and Map



#### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

# Wetlands (CEST and EA) - Partner

https://www.hudexchange.info/environmental-review/wetlands-protection

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" includes draining, dredging, channelizing, filling, diking, impounding, and related activities and construction of any structures or facilities.

 $\boxtimes$  No  $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

 $\Box$  Yes  $\rightarrow$  Continue to Question 2.

- 2. Will the new construction or other ground disturbance impact a wetland as defined in E.O. 11990?
  - $\square$  No  $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.

 $\Box$  Yes  $\rightarrow$  <u>Work with HUD or the RE to assist with the 8-Step Process.</u> Continue to Question 3.

3. Does Section 55.12 state that the 8-Step Process is not required?

□ No, the 8-Step Process applies.

This project will require mitigation and may require elevating structure or structures. See the link to the HUD Exchange above for information on HUD's elevation requirements.  $\rightarrow$  Work with the RE/HUD to assist with the 8-Step Process. Continue to Worksheet Summary.

□ 5-Step Process is applicable per 55.12(a).

Provide the applicable citation at 24 CFR 55.12(a) here.

Click here to enter text.

 $\rightarrow$  Work with the RE/HUD to assist with the 5-Step Process. This project may require mitigation or alternations. Continue to Worksheet Summary.

 8-Step Process is inapplicable per 55.12(b).
 Provide the applicable citation at 24 CFR 55.12(b) here. Click here to enter text.  $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to Worksheet Summary.

### □ 8-Step Process is inapplicable per 55.12(c).

### Provide the applicable citation at 24 CFR 55.12(c) here.

Click here to enter text.

 $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to Worksheet Summary.

### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

### Include all documentation supporting your findings in your submission to HUD.

The project site was reviewed for wetlands using the USFWS Wetland Inventory Mapper and a visual confirmation during the field site inspection. A NRCS study was conducted to determine whether a wetland was present on the property; it was determined the site is not a wetland, as it does not possess all of the necessary characteristics. Therefore, no wetlands were determined to be present on site. The project is in compliance with this section. No further evaluation is required.

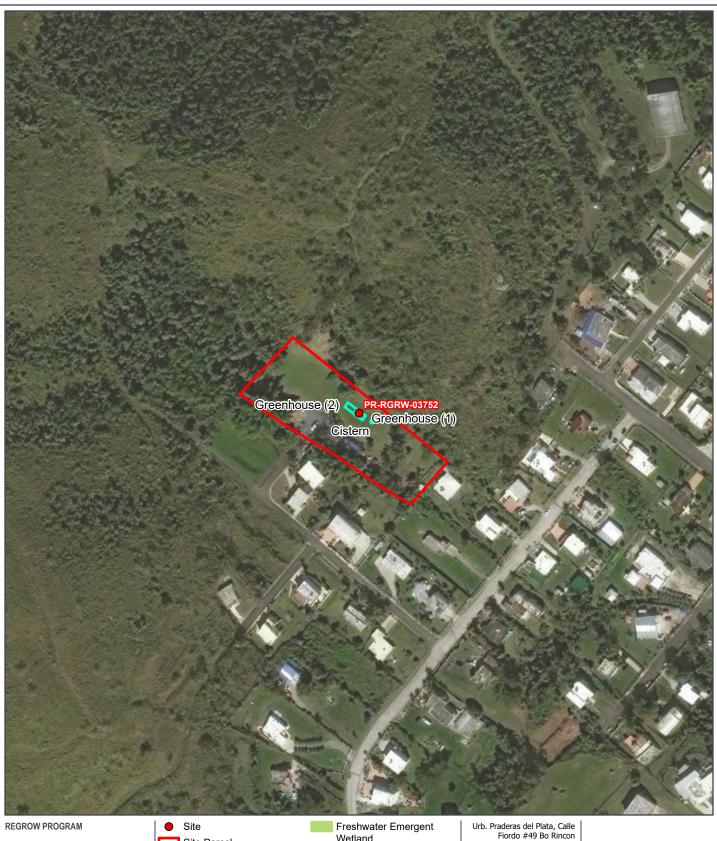


Figure B 12-1: Wetlands Protection Мар

Applicant ID: PR-RGRW-03752





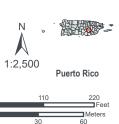
Wetland

Wetland Freshwater Forested/ Shrub Wetland Freshwater Pond Lake Riverine

Urb. Praderas del Plata, Calle Fiordo #49 Bo Rincon Cayey, Puerto Rico 00736

Parcel ID: 299-056-434-42-000 Parcel Center: 66.151671°W 18.136391°N

Data Source: https:// apps.nationalmap.gov/downloader/#/ https://www.fws.gov/brogram/national-wetlands-inventory/data-download Base Map: ESRI ArcGIS Online, accessed June 2023 Updated: 6/6/2023 Layout: Wetlands Protection



# Attachment 13

# Wild and Scenic Rivers Partner Worksheet and Wild and Scenic Rivers Map

# Wild and Scenic Rivers (CEST and EA) – PARTNER

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

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

# 1. Is your project within proximity of a NWSRS river as defined below?

**Wild & Scenic Rivers:** These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational

<u>Study Rivers</u>: These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.

<u>Nationwide Rivers Inventory (NRI)</u>: The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas

🛛 No

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Provide documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region in the Screen Summary at the conclusion of this screen.

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

 $\rightarrow$  Continue to Question 2.

### 2. Could the project do any of the following?

- Have a direct and adverse effect within Wild and Scenic River Boundaries,
- Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consultation with the appropriate federal/state/local/tribal Managing Agency(s) is required, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

<u>Note</u>: Concurrence may be assumed if the Managing Agency does not respond within 30 days; however, you are still obligated to avoid or mitigate adverse effects on the rivers identified in the NWSRS

- □ No, the Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.
- → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.
- □ Yes, the Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.
- → The RE/HUD must work with the Managing Agency to identify mitigation measures to mitigate the impact or effect of the project on the river.

### Worksheet Summary

### **Compliance Determination**

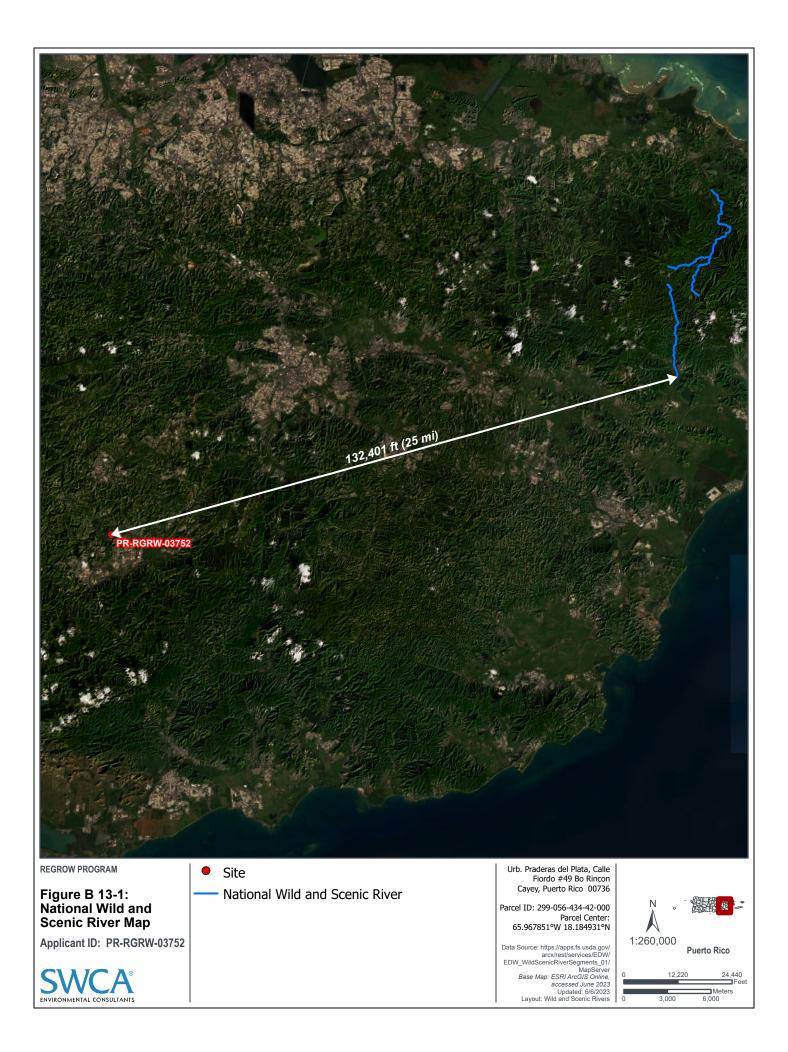
Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

A review of the USFWS National Wild and Scenic River mapper identified no Wild and Scenic Rivers or National Rivers Inventory (NRI) rivers present in Cayey Municipio. The closest Wild and Scenic River segment is located 132,401 feet (25 miles) from the project site. The project is in compliance with this section. No further evaluation is required.

### Are formal compliance steps or mitigation required?

□ Yes



# Attachment 14

# Environmental Justice Partner Worksheet and EJScreen Report



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

# **Environmental Justice (CEST and EA) – PARTNER**

https://www.hudexchange.info/environmental-review/environmental-justice

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?
  - $\Box$ Yes  $\rightarrow$  Continue to Question 2.
  - $\boxtimes$  No  $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.
- 2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?

□Yes

Explain:

Click here to enter text.

 $\rightarrow$  The RE/HUD must work with the affected low-income or minority community to decide what mitigation actions, if any, will be taken. Provide any supporting documentation.

#### □No

#### Explain:

Click here to enter text.

 $\rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

#### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

#### Include all documentation supporting your findings in your submission to HUD.

The ReGrow Program intends to alleviate negative economic impacts to, and strengthen, the agricultural industry in Puerto Rico. The project's direct and indirect impacts are limited to a small area on a single land parcel. The project will benefit the farm owner by improving agricultural use and production. The project would not facilitate development that would negatively affect human health or result in disproportionate adverse environmental impacts to low-income or minority populations.





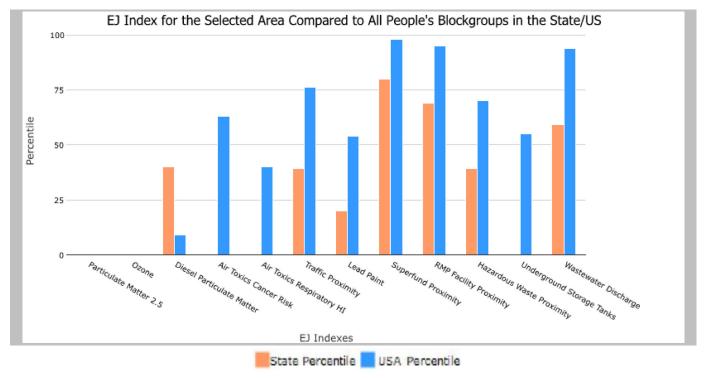
### 1 mile Ring Centered at 18.136451,-66.151890, PUERTO RICO, EPA Region 2

### Approximate Population: 6,893

Input Area (sq. miles): 3.14

Selected Variables	State Percentile	USA Percentile
Environmental Justice Indexes		
Particulate Matter 2.5 EJ index	N/A	N/A
Ozone EJ index	N/A	N/A
Diesel Particulate Matter EJ index <sup>*</sup>	40	9
Air Toxics Cancer Risk EJ index <sup>*</sup>	0	63
Air Toxics Respiratory HI EJ index <sup>*</sup>	0	40
Traffic Proximity EJ index	39	76
Lead Paint EJ index	20	54
Superfund Proximity EJ index	80	98
RMP Facility Proximity EJ index	69	95
Hazardous Waste Proximity EJ index	39	70
Underground Storage Tanks EJ index	0	55
Wastewater Discharge EJ index	59	94

EJ Indexes - The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.



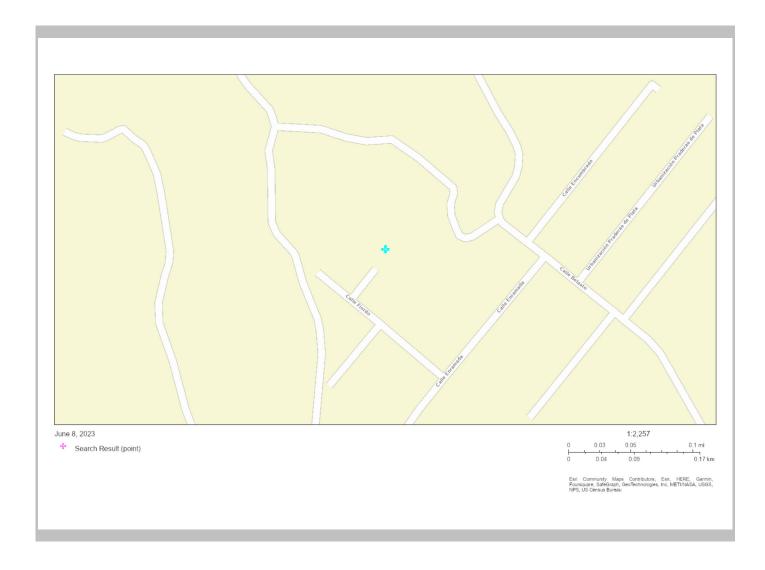
\*Diesel particular matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: https://www.epa.gov/haps/air-toxics-data-update.





1 mile Ring Centered at 18.136451,-66.151890, PUERTO RICO, EPA Region 2

# Approximate Population: 6,893 Input Area (sq. miles): 3.14



Sites reporting to EPA	
Superfund NPL	0
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	0





1 mile Ring Centered at 18.136451,-66.151890, PUERTO RICO, EPA Region 2

### **Approximate Population: 6,893**

Input Area (sq. miles): 3.14

Selected Variables	Value	State Avg.	%ile in State	USA Avg.	%ile in USA
Pollution and Sources					
Particulate Matter 2.5 (µg/m³)	N/A	N/A	N/A	8.67	N/A
Ozone (ppb)	N/A	N/A	N/A	42.5	N/A
Diesel Particulate Matter <sup>*</sup> (µg/m³)	0.0372	0.108	43	0.294	<50th
Air Toxics Cancer Risk <sup>*</sup> (lifetime risk per million)	20	23	0	28	<50th
Air Toxics Respiratory HI*	0.2	0.21	0	0.36	<50th
Traffic Proximity (daily traffic count/distance to road)	140	610	43	760	40
Lead Paint (% Pre-1960 Housing)	0.029	0.14	24	0.27	21
Superfund Proximity (site count/km distance)	0.22	0.15	87	0.13	87
RMP Facility Proximity (facility count/km distance)	1.1	0.97	71	0.77	78
Hazardous Waste Proximity (facility count/km distance)	0.2	0.9	40	2.2	31
Underground Storage Tanks (count/km <sup>2</sup> )	0.37	1.7	61	3.9	36
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.057	5	77	12	81
Socioeconomic Indicators					
Demographic Index	80%	83%	26	35%	95
Supplemental Demographic Index	39%	44%	29	15%	98
People of Color	100%	99%	31	40%	97
Low Income	61%	72%	25	30%	88
Unemployment Rate	9%	15%	39	5%	80
Limited English Speaking Households	69%	68%	46	5%	99
Less Than High School Education	16%	22%	35	12%	73
Under Age 5	2%	4%	30	6%	18
Over Age 64	19%	20%	43	16%	65
Low Life Expectancy	N/A	<del>)</del> 99900%	N/A	20%	N/A

EJScreen is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJScreen documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJScreen outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.





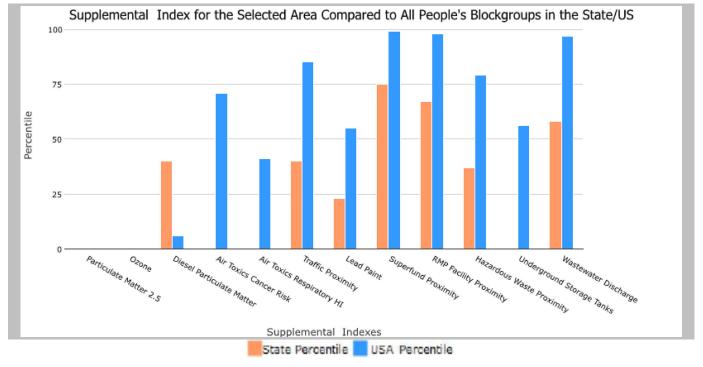
### 1 mile Ring Centered at 18.136451,-66.151890, PUERTO RICO, EPA Region 2

### **Approximate Population: 6,893**

Input Area (sq. miles): 3.14

Selected Variables	State Percentile	USA Percentile
Supplemental Indexes		
Particulate Matter 2.5 Supplemental Index	N/A	N/A
Ozone Supplemental Index	N/A	N/A
Diesel Particulate Matter Supplemental Index*	40	6
Air Toxics Cancer Risk Supplemental Index*	0	71
Air Toxics Respiratory HI Supplemental Index*	0	41
Traffic Proximity Supplemental Index	40	85
Lead Paint Supplemental Index	23	55
Superfund Proximity Supplemental Index	75	99
RMP Facility Proximity Supplemental Index	67	98
Hazardous Waste Proximity Supplemental Index	37	79
Underground Storage Tanks Supplemental Index	0	56
Wastewater Discharge Supplemental Index	58	97

Supplemental Indexes - The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on low-income, limited English speaking, less than high school education, unemployed, and low life expectancy populations with a single environmental indicator.



This report shows the values for environmental and demographic indicators, EJScreen indexes, and supplemental indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJScreen documentation for discussion of these issues before using reports. For additional information, see: www.epa.gov/environmentaljustice.

# Appendix C

# **Environmental Site Inspection Report**





ENVIRONMENTAL FIELD ASSESSMENT FORM ReGrow



Applicant Name: Dana I. López Pérez   DBA Finca Destiny Mio	Program ID: PR-RGRW-03752
Project Coordinates: 18.136449, -66.15189	Parcel ID: 299-056-434-42-000
Parcel Address: Urb. Praderas del Plata, Calle Fiordo #49 Barrio Rincon	Municipio: Cayey
Zip Code: 00736	

<b>.</b>		. <u>1</u> . т	-	<u>.</u>
Inspector	Name: L	Delise T	orres	Ortız

Inspection Date: May 25<sup>th</sup>, 2023

Was property accessible by vehicle?	Yes	Comment:	
Access issues?	No	Comment: None	
Are water wells present?	No	Comment:	
Are creeks or ponds present?	Yes	Comment: There is a right of way in favor of the municipality of Cayey that when there is heavy rain, it creates a creek northwest of the property.	
Are any potential wetlands on- site or visible on adjacent parcel?	No	Comment: The applicant mentioned the NRCS checked the property for any potential wetlands close to the right of way/creek but concluded that none exists.	

### **General Site Conditions**

### **Parcel Conditions**

### Note - for Any Yes answers specify type, contents and location

Do any of the proposed project work areas show evidence of site preparation?	No	Comment:
Are commercial or industrial hazardous facilities at parcel or within visual sight?	No	Comment:
Are there signs of underground storage tanks?	No	Comment:
Are above-ground tanks >10 gallons present? If Yes, also state condition.	Yes	Comment: There is a 250-water tank east of the property, not connected to the water system, and it was filled with a hose, and the water is taken out using buckets. There is also a camper with a gas tank of less than 30 pounds.





Environmental Field Assessment Form **ReGrow** 



Are 55-gallon drums present? If Yes, also state condition.	No	Comment:
Are abandoned vehicles or electrical equipment present?	No	Comment:
Is other potential environmentally hazardous debris on the parcel?	No	Comment:
Is there non-environmentally hazardous debris on the parcel?	No	Comment:
Are any leaks, soil stains, or stressed vegetation present associated with any of the above or separately?	No	Comment:
Are there any pungent, foul or noxious odors?	Yes / No	Comment:
Are there any potentially hazardous trees that could fall?	No	Comment:
Are any bird nests visible?	No	Comment:
Are there any animal burrows visible?	No	Comment:
Are there any buildings in direct visual sight of the project locations?	Yes	Comment: The structures around the property were built before 2011.





**ENVIRONMENTAL FIELD ASSESSMENT FORM** 

# ReGrow



# Additional Needs Analysis Based on the above findings, does additional information need to be obtained from the applicant to determine whether an environmental hazard is present? No Comment:

☑ I verify that I have physically visited this property and that the findings outlined above are accurate.

Delise Torres Ortiz {Delise Torres Ortiz} {May 25<sup>th</sup>, 2023}





ENVIRONMENTAL FIELD ASSESSMENT FORM ReGrow



Following pages are used for:

Location Map with parcel boundaries and building point (Aerial base with streets labelled) Photos taken during inspection, with Date / Type / Direction associated with the photo

Project #: PR-RGRW-03752	Photographer: Delise Torres Ortiz
Location Address: Urb. Praderas del Plata, Calle Fiordo #49 Bo	Coordinates: 18.136449, -66.15189
Rincón, Cayey 00736	

<b>Photo #:</b> 01	Date:		
	05/25/		
	2023		
Photo Dire	ection:		
Southeast			
Description	n:		
This pictur	e is an		
overview of the site			
location for two			
greenhouses			
12X24ft and a 500-			
gallon cistern,			
showing the			
cultivated area with			
plantains, the			
project area, an RV			
travel trailer style,			
and the applicant's			
car.			



<b>Photo #:</b> 02	<b>Date:</b> 05/25/ 2023		
Photo Dire	ction:		
South			
Description:			
This picture is an			
overview of the site			
location for two			
greenhouses			
12X24ft and a 500-			
gallon cistern,			
showing the project			
area, an RV travel			
trailer style, and the			
applicant's car			
taken from the			
northern c	orner.		



Project #: PR-RGRW-03752	Photographer: Delise Torres Ortiz
Location Address: Urb. Praderas del Plata, Calle Fiordo #49 Bo	Coordinates: 18.136449, -66.15189
Rincón, Cayey 00736	



<b>Photo #:</b> 04	Date:	
	05/25/	
	2023	
Photo Dire	ection:	
North		
Descriptio	n:	
This picture is an		
overview from the		
southern corner of		
the site location for		
two greenhouses		
12X24ft and a 500-		
gallon cistern,		
showing the project		
area and the		
cultivated section of		
the property with		
plantains.		
-		



Project #: PR-RGRW-03752	Photographer: Delise Torres Ortiz
Location Address: Urb. Praderas del Plata, Calle Fiordo #49 Bo	Coordinates: 18.136449, -66.15189
Rincón, Cayey 00736	

Date: Photo #: 05/25/ 05 2023 Photo Direction: East Description: This picture is an overview from the western corner of the site location, the project area for two greenhouses 12x24ft and a 500gallon cistern, showing the cultivated section of the property with plantains, and an above-ground 250 water tank.



<b>Photo #:</b> 06	<b>Date:</b> 05/25/ 2023	
Photo Dire	ection:	
North		
Descriptio This pictur taken from center of t project loc two green 12X24ft, sh the cultiva	e was n the he ration for houses nowing ted area	
of the prop	perty with	
plantains.		

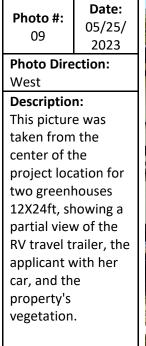
Project #: PR-RGRW-03752	Photographer: Delise Torres Ortiz
Location Address: Urb. Praderas del Plata, Calle Fiordo #49 Bo	Coordinates: 18.136449, -66.15189
Rincón, Cayey 00736	

<b>Photo #:</b> 07	<b>Date:</b> 05/25/ 2023	
Photo Dire	ction:	
East		
Descriptio	n:	
This pictur	e was	
taken from	n the	
center of t	he	
project loc		
two greenł		
12X24ft, sł	-	the second se
the cultiva		the second s
of the prop	-	
plantains a		
gallons wa	ter tank.	
		and the second

<b>Photo #:</b> 08	<b>Date:</b> 05/25/ 2023	
Photo Dire	ction:	
South		
Descriptio	n:	
This pictur	e was	
taken from the		
center of the		
project location for		
two greenhouses		
12X24ft, showing		
the property's		
vegetation and a		
partial view of the		
RV travel trailers.		



Project #: PR-RGRW-03752	Photographer: Delise Torres Ortiz
Location Address: Urb. Praderas del Plata, Calle Fiordo #49 Bo	Coordinates: 18.136449, -66.15189
Rincón, Cayey 00736	





<b>Photo #:</b> 10	<b>Date:</b> 05/25/ 2023	
Photo Dire	ection:	
North		
Descriptio	n:	
This picture	e was	
taken from the		
center of the		
project location for		A STATE OF THE STA
a 500-gallo	on cistern,	
showing th		
plantains t		and the second
applicant is		
cultivating		
		and the second sec

Project #: PR-RGRW-03752	Photographer: Delise Torres Ortiz
Location Address: Urb. Praderas del Plata, Calle Fiordo #49 Bo	Coordinates: 18.136449, -66.15189
Rincón, Cayey 00736	

Photo #:	Date:				
	05/25/				
11	2023				
Photo Dire	ction:				
East					
Descriptio	Description:				
This pictur	e was				
taken from	i the				
center of the					
project location for					
a 500-gallon cistern,					
showing a	partial				
view of the organic					
plantains the					
applicant is					
cultivating and the					
vegetation's					
property.					



Photo #:	Date:			
12	05/25/			
12	2023			
Photo Dire	ction:			
South				
Description:				
This picture was taken				
from the c	enter of the			
project loc	project location for a			
500-gallon cistern,				
showing the				
property's vegetation,				
a partial view of the				
bathroom, and one of				
the structures with a				
direct view of the				
project area built				
before 2011.				



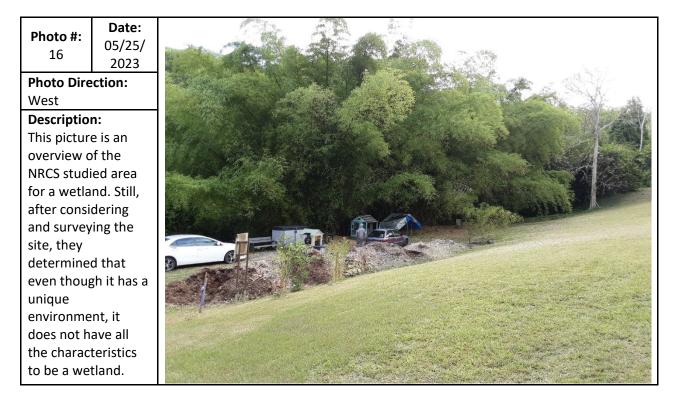
Project #: PR-RGRW-03752	Photographer: Delise Torres Ortiz
Location Address: Urb. Praderas del Plata, Calle Fiordo #49 Bo	Coordinates: 18.136449, -66.15189
Rincón, Cayey 00736	

Photo #: 13 Photo Dire West	Date: 05/25/ 2023	
Descriptio This pictur from the c project loc 500-gallon showing th property's the RV trav camper, ar view of on structures direct view	e was taken enter of the ration for a cistern, ne vegetation, veler's nd a partial e of the with a v of the ration built	

<b>Photo #:</b> 14	<b>Date:</b> 05/25/ 2023	
Photo Dire	ection:	
Southwest		
Descriptio		
This pictur	е	
presents s		
erosion at		
property's	entrance	
due to		
deforestat	ion.	

Project #: PR-RGRW-03752	Photographer: Delise Torres Ortiz
Location Address: Urb. Praderas del Plata, Calle Fiordo #49 Bo	Coordinates: 18.136449, -66.15189
Rincón, Cayey 00736	





Project #: PR-RGRW-03752	Photographer: Delise Torres Ortiz
Location Address: Urb. Praderas del Plata, Calle Fiordo #49 Bo	Coordinates: 18.136449, -66.15189
Rincón, Cayey 00736	

<b>Photo #:</b> 17	<b>Date:</b> 05/25/ 2023		
Photo Dire	ection:		A.
Southeast			*
Descriptio	n:		
This pictur	e		
overviews the			
water and	the		STL.
electric source the			SV/
applicant v			
for the 500	-		
cistern 6x6	ift and		
the two			
greenhous	es		- AR
12x24ft.			L. CON
		Colored and the second second	
			E Ma

<b>Photo #:</b> 18	Date: 05/25/ 2023	
Photo Direction:		
Northeast		
Descriptio	n:	881-7/1
This pictur	e is an	
overview o	of the	
area where the		
applicant will lay		
down the		
constructio	on	and the second
materials f		
two greenł		
12x24ft an		
500-gallon		
now, it shows the		
applicant's vehicle.		

Project #: PR-RGRW-03752	Photographer: Delise Torres Ortiz
Location Address: Urb. Praderas del Plata, Calle Fiordo #49 Bo	Coordinates: 18.136449, -66.15189
Rincón, Cayey 00736	

<b>Photo #:</b> 19	<b>Date:</b> 05/25/ 2023	
Photo Direction:		
South		
Description:		
This picture is a		
view of the		
structure inside the		
property that is a		
bathroom built		
between 2021		
(septic tank) and		
2022 (the structure		ATTACK AND A FILLY / - 1 - MARKAN AND AND A
with the roof);		
before applying to		
the ReGrow funds.		

<b>Photo #:</b> 20	<b>Date:</b> 05/25/			
20	2023			
Photo Direction:				
Southwest				
Description:				
This picture				
presents a structure				
outside the				
property that				
directly views the				
project location,				
built before 2011.				
The image also				
shows two				
containers; the one				
to the left will be				
removed, and the				
one to the right is a				
warehouse.				



Project #: PR-RGRW-03752	Photographer: Delise Torres Ortiz
Location Address: Urb. Praderas del Plata, Calle Fiordo #49 Bo	Coordinates: 18.136449, -66.15189
Rincón, Cayey 00736	

Photo #:         Date:           21         05/25/           2023	
Photo Direction:	
South	
Description:	
This picture presents a partial view of the bathroom built between 2021 and 2022 (before applying to ReGrow), a partial view of a structure outside of the applicant's property built before 2011, and a freight container that will be removed.	