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

Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5

Pursuant to 24 CFR 58.35(a)

Project Information

Project Name: Street-Improvement-Las-Carolinas-Community

HEROS Number: 900000010434785

Start Date: 10/28/2024

State / Local Identifier:

Project Location: Bairoa Ward, Caguas, PR

Additional Location Information:
Main Street between the bridge and the Puerto Rico Aqueduct and Sewer Authority (PRASA) station, and between PRASA and the Los Reyes community at Bairoa Ward.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:
Funds will be used for scarification & asphalt deposit in the following streets in Las Carolinas community: Main Street between the bridge and the Puerto Rico Aqueduct and Sewer Authority (PRASA) station, and between PRASA and the Los Reyes community at Bairoa Ward. The activity will consume 845 tons of asphalt in a total of 900 linear meters.

Level of Environment Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:
58.34(a)(12)
58.35(a)(1)

Funding Information

Grant Number	HUD Program	Program Name	
B-20-MC-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	$1,763,496.00

AmD30
pl

Estimated Total HUD Funded Amount: $377,897.83

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: $159,705.08

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

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

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

Determination:

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

Preparer Signature: A. de Jesus Ortiz **Date:** 1/14/25

Name / Title/ Organization: Ana De Jesus-Ortiz / / CAGUAS

Responsible Entity Agency Official Signature: L. I. R. Menizard **Date:** 14-05-2025

Name/ Title: Lydia I Rivera Menizard Deputy Mayor

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

AmDJO

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Pursuant to 24 CFR 58.35(a)

Project Information

Project Name: Street-Improvement-Las-Carolinas-Community

HEROS Number: 900000010434785

Start Date: 10/28/2024

Responsible Entity (RE): CAGUAS, BOX 907 CAGUAS MUNICIPIO PR, 00726

State / Local Identifier:

RE Preparer: Ana De Jesus-Ortiz

Certifying Office r: Lydia Rivera Denizard

Grant Recipient (if different than Responsible Ent ity):

Point of Contact:

Point of Contact:
Consultant (if applicable):

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

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

Project Location: Bairoa Ward, Caguas, PR

Additional Location Information:
Main Street between the bridge and the Puerto Rico Aqueduct and Sewer Authority (PRASA) station, and between PRASA and the Los Reyes community at Bairoa Ward.

Direct Comments to:

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

Funds will be used for scarification & asphalt deposit in the following streets in Las Carolinas community: Main Street between the bridge and the Puerto Rico Aqueduct and Sewer Authority (PRASA) station, and between PRASA and the Los Reyes community at Bairoa Ward. The activity will consume 845 tons of asphalt in a total of 900 linear meters.

Maps, photographs, and other documentation of project location and description:
Aerial Map.pdf
AVISOE~1.PDF
Memorial Las Carolinas.pdf

Level of Environmental Review Determination:
Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:
58.34(a)(12)
58.35(a)(1)

Determination:

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

	This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Approval Documents:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
B-20-MC-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	$1,763,496.00

Estimated Total HUD Funded, Assisted or Insured Amount: $377,897.83

Estimated Total Project Cost: $159,705.08

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	☐ Yes ☑ No	The Municipality of Caguas doesn't have a military or civilian airport in its territorial jurisdiction. The nearest civilian or military airport is located 67,810 feet (SJU airport) from the area.

		The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	☐ Yes ☑ No	Puerto Rico is one of the areas with Coastal Barrier Resources Systems (CBRS). However, the project is located 71,285 feet from the nearest CBRS (Punta Vacia Talega). This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	☐ Yes ☑ No	The project area is in Zone X (outside of the floodplain with a 1% or 0.2% chance annual probability of flooding). Source of information: FIRM Map 72000C0740J, valid since November 18, 2009. Based on the project description (scarification, asphalt deposit and rehabilitation of sidewalks on existing streets in a heavily populated urban area), the project includes no activities that would require further evaluation under this section. Roads & streets are not insured by the NIPF. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	☐ Yes ☑ No	Based on the project description (scarification & asphalt deposit on existing streets in a heavily populated urban area), this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	☐ Yes ☑ No	The proposed project is not located, nor affects, a coastal zone. The Municipality of Caguas does not have any coastal zone. The nearest coast is 18 miles away; therefore, it is not defined as a Coastal Municipality by the Puerto Rico Coastal Zone Management Program (PRCZM). This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	☐ Yes ☑ No	Using NEPA Assist Tool; three (3) RCRA sites were identified in a radius of 1 mile from the infrastructure. The nearest one (Walgreens 12648) is located at 0.07 miles from the project. The far one is Betteroads Asphalt, located 0.55 miles from the project. However, the project is an activity of scarification, asphalt deposit, and rehabilitation of existing sidewalks on existing streets in a heavily populated urban area, so the uses in the area are mostly commercial with some housing units around. During the inspection of the place, where the project will take place, no landfills/dumps or substations were identified in the surroundings. RCRA data is related to permits awarded because of the properties uses and operations. In ECHO reports, no violations were recorded for sites within a radius of 500 feet from the project. Due to the project is not linked to a building, property, or any structure, there is no need to proceed with the radon test. No investigations or citizens' complaints about chemical accidents or hazardous situations are received or notified to our Office. Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health

		and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	☐ Yes ☑ No	USFW issued a Blanket Clearance Letter for HUD federally sponsored projects on January 14, 2013. Our project complies with criteria #1 & #2 of this clearance letter. According to the USFW Puerto Rico Field Office, the Municipality Self Certification for Compliance with the Blanket Letter dated September 4, 2024, will be included in the case documentation to comply with the Endangered Species Act. USFW concir with our determination on communication dated on September 29, 2024. This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by the local HUD office. This project is in compliance with the Endangered Species Act.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	☐ Yes ☑ No	Based on the project description (scarification & asphalt deposit on existing streets on a heavy populated urban area), the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	☐ Yes ☑ No	The project area has been impacted previously. The proposed project consists of rehabilitation activities of existing streets in a community. The project is out of agricultural reserves, experimental stations, and soils classified as of agricultural capacity or classified as prime agricultural land, according to the Soil Survey from NRCS. Caguas does not have protected areas covered by the Farmlands Protection Policy Act. This project does not include

		any activities that could potentially convert agricultural land to non-agricultural use. The project is in compliance with the Farmland Protection Policy Act
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	☐ Yes ☑ No	The proposed project consists of scarification & asphalt deposit on an existing street in a heavily populated urban area. This project does not occur in a floodplain. Source: FEMA Puerto Rico Advisory Base Flood Elevations (ABFE's) effective on December 11, 2018. This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	☐ Yes ☑ No	SHPO communication dated on December 10, 2024, determined to support our findings of no historic properties will be affected with the area of Las Carolinas community in Bairoa Ward because of this project. Based on Section 106 consultation, there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	☐ Yes ☑ No	Based on the project description (scarification & asphalt deposit on existing streets on a heavy populated urban area), this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	☐ Yes ☑ No	The project is limited to scarification & asphalt deposit on existing streets in a heavily populated urban area. There are no designated Sole Source Aquifers in Puerto Rico. According to the EPA Sole Source Aquifers Map, the project is not located in a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.

Wetlands Protection Executive Order 11990, particularly sections 2 and 5	☐ Yes ☑ No	Based on the project description (scarification & asphalt deposit on existing streets in a heavily populated urban area and far from flooding or wetland areas), this project includes no activities that would require further evaluation under this section. The project does not require draining, dredging, channelizing, filling, diking, impounding, or related activities on a wetland area as defined in Executive Order 11990. This project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	☐ Yes ☑ No	The Municipality of Caguas does not have any river registered as a Wild and Scenic River, Study River, or listed in the Nationwide Rivers Inventory (NRI). This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	☐ Yes ☑ No	The activities involved in this project are rehabilitation activities on existing streets in Las Carolinas community, a middle-class residential area. After completing the other portions of the environmental review, we determined that neither the project site nor the surrounding neighborhood suffered from adverse environmental conditions. The project is out: (a) of the airport hazard zones, (b) out of flood zone (according to FEMA FIRM Maps), (c) out of coastal barrier zones (according to Puerto Rico Coastal Zone Management Program), (d) compliance with Clean Air Act, (e) no violations on RCRA permits are founded in sites surrounding the project area (according to NEPA Assist &

		ECHO reports), (f) the project will not result in an increased number of people in the area, (g) there are not AST's in the project surroundings; (h) doesn't impact a farmland, sole aquifer, wild rivers or wetlands areas (according to location map), (i) is not a hazardous or flammable facility, (j) is not a new construction that exceeds the building footprint, (k) no noise abatement needed, (l) SHPO determined that the project have no historic properties affected in the area and (m) comply with USFW Blanket Clearance Letter for HUD funding projects and concur with our determination. Neither the project site nor the surrounding neighborhood suffers from adverse environmental conditions. No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

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

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

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

Project Mitigation Plan

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

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

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

✓ **No**

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

Yes

Screen Summary

Compliance Determination

The Municipality of Caguas doesn't have a military or civilian airport in its territorial jurisdiction. The nearest civilian or military airport is located 67,810 feet (SJU airport) from the area. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

Supporting documentation

airport_map.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

✓ No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

Puerto Rico is one of the areas with Coastal Barrier Resources Systems (CBRS). However, the project is located 71,285 feet from the nearest CBRS (Punta Vacia Talega). This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

barrier_map.pdf
Coastal Barrier.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

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

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

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

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

Yes

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

Yes

✓ No

Screen Summary

Compliance Determination

The project area is in Zone X (outside of the floodplain with a 1% or 0.2% chance annual probability of flooding). Source of information: FIRM Map 72000C0740J, valid since November 18, 2009. Based on the project description (scarification, asphalt deposit and rehabilitation of sidewalks on existing streets in a heavily populated urban area), the project includes no activities that would require further evaluation under this section. Roads & streets are not insured by the NIPF. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements.

Supporting documentation

Street-Improvement-Las-Carolinas-Community	Caguas, PR	900000010434785

FIRMETTE.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

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

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

Yes

✓ No

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

Screen Summary

Compliance Determination

Based on the project description (scarification & asphalt deposit on existing streets in a heavily populated urban area), this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

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

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

Yes

✓ No

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

Screen Summary

Compliance Determination

The proposed project is not located, nor affects, a coastal zone. The Municipality of Caguas does not have any coastal zone. The nearest coast is 18 miles away; therefore, it is not defined as a Coastal Municipality by the Puerto Rico Coastal Zone Management Program (PRCZM). This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

Mapa PMZC Puerto Rico 2023.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Contamination and Toxic Substances

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

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

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

✓ None of the above

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

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

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

✓ No

Explain:

Using NEPA Assist Tool; three (3) RCRA sites were identified in a radius of 1 mile from the infrastructure. The nearest one (Walgreens 12648) is located at 0.07 miles from the project. The far one is Betteroads Asphalt, located 0.55 miles from the project. However, the project is an activity of scarification, asphalt deposit, and rehabilitation of existing sidewalks on existing streets in a heavily populated urban area, so the uses in the area are mostly commercial with some housing units around. During the inspection of the place, where the project will take place, no landfills/dumps or substations were identified in the surroundings. RCRA data is related to permits awarded because of the properties uses and operations. In ECHO reports, no violations were recorded for sites within a radius of 500 feet from the project. No investigations or citizens' complaints about chemical accidents or hazardous situations are received or notified to our Office.

Yes

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.
** Utilize EPA's Enviromapper, NEPAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

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

Yes

Explain:

✓ No

* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per

day.

- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.
- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

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

Yes

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

✓ No

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

Yes

✓ No

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

Explain:

Due to the project is not linked to a building, property, or any structure, there is no need to proceed with the radon test. The project is in compliance with contamination and toxic substances requirements.

File Upload:

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

Non-radon contamination was found in a previous question.

Screen Summary

Compliance Determination

Using NEPA Assist Tool; three (3) RCRA sites were identified in a radius of 1 mile from the infrastructure. The nearest one (Walgreens 12648) is located at 0.07 miles from the project. The far one is Betteroads Asphalt, located 0.55 miles from the project. However, the project is an activity of scarification, asphalt deposit, and rehabilitation of existing sidewalks on existing streets in a heavily populated urban area, so the uses in the area are mostly commercial with some housing units around. During the inspection of the place, where the project will take place, no landfills/dumps or substations were identified in the surroundings. RCRA data is related to permits awarded because of the properties uses and operations. In ECHO reports, no violations were recorded for sites within a radius of 500 feet from the project. Due to the project is not linked to a building, property, or any structure, there is no need to proceed with the radon test. No investigations or citizens' complaints about chemical accidents or hazardous situations are received or notified to our Office. Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

NEPAssist RCRA.pdf
ECHO _ US EPA.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

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

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

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

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

Explain your determination:

USFW issued a Blanket Clearance Letter for HUD federally sponsored projects on January 14, 2013. Our project complies with criteria #1 & #2 of this clearance letter. According to the USFW Puerto Rico Field Office, the Municipality Self Certification for Compliance with the Blanket Letter dated September 4, 2024, will be included in the case documentation to comply with the Endangered Species Act. This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by the local HUD office. This project is in compliance with the Endangered Species Act.

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

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

Screen Summary

Compliance Determination

USFW issued a Blanket Clearance Letter for HUD federally sponsored projects on January 14, 2013. Our project complies with criteria #1 & #2 of this clearance letter. According to the USFW Puerto Rico Field Office, the Municipality Self Certification for Compliance with the Blanket Letter dated September 4, 2024, will be included in the case documentation to comply with the Endangered Species Act. USFW concir with our determination on communication dated on September 29, 2024. This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by the local HUD office. This project is in compliance with the Endangered Species Act.

Supporting documentation

20240923_Blk_Street Improvement-Las Carolinas_drr_72025-Gen.pdf
Blanket Clearance Letter.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

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

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

✓ No

Yes

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

✓ No

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

Yes

Screen Summary

Compliance Determination

Based on the project description (scarification & asphalt deposit on existing streets on a heavy populated urban area), the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

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

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

Yes

✓ No

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

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

M

Screen Summary

Compliance Determination

The project area has been impacted previously. The proposed project consists of rehabilitation activities of existing streets in a community. The project is out of agricultural reserves, experimental stations, and soils classified as of agricultural capacity or classified as prime agricultural land, according to the Soil Survey from NRCS. Caguas does not have protected areas covered by the Farmlands Protection Policy Act. This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The project is in compliance with the Farmland Protection Policy Act

Supporting documentation

Soil Report.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

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

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

Yes

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

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

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland projection, open space, or park land, but only if:
(1) The property is cleared of all existing buildings and walled structures; and
(2) The property is cleared of related improvements except those which:
(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);
(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and
(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

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

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

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

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

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

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

Describe:

✓ No

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

Yes

Describe:

✓ No

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

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information[1] to determine flood elevation. Include documentation and an explanation of why this is the best available information[2] for the site. Note that newly constructed and substantially improved[3] structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

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

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

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

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

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

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

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary

Compliance Determination

The proposed project consists of scarification & asphalt deposit on an existing street in a heavily populated urban area. This project does not occur in a floodplain. Source: FEMA Puerto Rico Advisory Base Flood Elevations (ABFE's) effective on December 11, 2018. This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

Supporting documentation

ABFEs_Las Carolinas.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

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

Threshold
Is Section 106 review required for your project?

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

M

Step 1 – Initiate Consultation
Select all consulting parties below (check all that apply):

✓ State Historic Preservation Offer (SHPO) Completed

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

Other Consulting Parties

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

In compliance with Section 106 because HUD federal funds will be used for this project and after our determination that this project doesn't affect an historic properties in the APE, we want SHPO concur with our determination.

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

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

Yes
No

Step 2 – Identify and Evaluate Historic Properties

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

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

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

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

Additional Notes:

The Municipality prepared a historical determination for the property using information from SHPO and Puerto Rico Cultural Institute that indicated the rehabilitation activities have no effect on any historical property in the area and the property isn't a historical property.

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

   Yes

   ✓ No

Step 3 –Assess Effects of the Project on Historic Properties

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

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

✓ No Historic Properties Affected

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

Document reason for finding:

✓ No historic properties present.

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

N

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

SHPO communication dated on December 10, 2024, determined to support our findings of no historic properties will be affected with the area of Las Carolinas community in Bairoa Ward because of this project. Based on Section 106 consultation, there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

SHPO-CF-12-03-24-03-Carta.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Noise Abatement and Control

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

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

New construction for residential use

Rehabilitation of an existing residential property

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

N

An interstate land sales registration

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

✓ None of the above

Screen Summary

Compliance Determination

Based on the project description (scarification & asphalt deposit on existing streets on a heavy populated urban area), this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

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

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

Yes

✓ No

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

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

N

< No

✓

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

Yes

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

Yes

Street-Improvement-Las-Carolinas-Community	Caguas, PR	900000010434785

No

Screen Summary

Compliance Determination

The project is limited to scarification & asphalt deposit on existing streets in a heavily populated urban area. There are no designated Sole Source Aquifers in Puerto Rico. According to the EPA Sole Source Aquifers Map, the project is not located in a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

ssa puerto rico.pdf
ssa Region II EPA.pdf
Sole Source Aquifers_Las Carolinas.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

N

Wetlands Protection

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

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

✓ No

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

N

Yes

Screen Summary

Compliance Determination

Based on the project description (scarification & asphalt deposit on existing streets in a heavily populated urban area and far from flooding or wetland areas), this project includes no activities that would require further evaluation under this section. The project does not require draining, dredging, channelizing, filling, diking, impounding, or related activities on a wetland area as defined in Executive Order 11990. This project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.

Supporting documentation

Wetland_ Las Carolinas.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

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

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

✓ No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.
Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary
Compliance Determination
The Municipality of Caguas does not have any river registered as a Wild and Scenic River, Study River, or listed in the Nationwide Rivers Inventory (NRI). This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

N

Supporting documentation

WSR Inventory.pdf
Puerto Rico - Nationwide Rivers Inventory (US National Park Service).pdf
Map Wild and Scenic Rivers.pdf

Are formal compliance steps or mitigation required?
Yes

✓ No