



RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

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RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project PA-02-PR-4339-PW-08004

Title: 101809 - L-153 Cibuco Ward - Corozal

NEPA DETERMINATION

| | | |
|-------------------------------|-----------------------|-----------------------|
| Non Compliant Flag: No | EA Draft Date: | EA Final Date: |
| EA Public Notice Date: | EA Fonsi | Level: CATEX |
| EIS Notice of Intent | EIS ROD Date: | |

Comment Puerto Rico Industrial Development Company (PRIDCO), PR-159, Cibuco Ward Corozal, PR (1) 18.33943, -66.32201; (2) 18.33940, -66.32338; (3) 18.33849, -66.32293; (4) 18.33896, -66.32372; and (5) 18.33909, -66.32270. Category E, 0 % of work completed. The applicant will utilize contracts and (or) force accounts for repairs PRIDCO Buildings: T078906600 (DI-219020); T090306800 (DI-219021); T090407000 (DI-219022); T090506800 (DI-219023); and T123007700 (DI-219024). (1) The following components will be removed and replaced in (DI-219020): SBS modified bituminous roofing, flashing, windows, doors, and exterior and interior paint. MITIGATION: The sub-recipient has decided to pursue mitigation in (DI-219020) by installing termination bar to the roof membrane; by installing window with an impact resistant; and by using waterproof coating to replace exterior paint. (2) The following components will be removed and replaced in (DI-219021): windows, doors, chain link fence including its components, and exterior paint. MITIGATION: The sub-recipient has decided to pursue mitigation in (DI-219021) by strengthening the chain link fence; by installing window with an impact resistant; and by using waterproof coating to replace exterior paint. (3) The following components will be removed and replaced in (DI-219022): exhaust fans, SBS modified bituminous roofing, flashing, windows, cement plaster, doors, chain link fence including its components, and interior paint. MITIGATION: The sub-recipient has decided to pursue mitigation in (DI-219022) by installing termination bar to the roof membrane; by strengthening the chain link fence; and by installing window with an impact resistant. (4) The following components will be removed and replaced in (DI-219023): SBS modified bituminous roofing, flashing, exhaust fans, window, and interior and exterior paint. MITIGATION: The sub-recipient has decided to pursue mitigation in (DI-219023) by installing window with an impact resistant and by using waterproof coating to replace exterior paint. (5) The following components will be removed and replaced in (DI-219024): SBS modified bituminous roofing, flashing, metal deck ceiling, cement plaster, windows, doors, chain link fence including its components, interior and exterior paint. MITIGATION: The sub-recipient has decided to pursue mitigation in (DI-219024) by strengthening the chain link fence; by installing window with an impact resistant; and by using waterproof coating to replace exterior paint. - mlunariv - 12/17/2020 13:05:30 GMT

DISREGARD PREVIOUS COMMENT The level of detail required for EHP review of the construction phase was not present in this version of the project. Therefore, review for compliance with federal environmental and historic preservation (EHP) laws, policies, and executive orders will not be complete at the time of obligation. Upon completion of the A&E phase, the project must be versioned and re-submitted for EHP review. - mlunariv - 01/26/2021 12:55:37 GMT

DISREGARD PREVIOUS COMMENT Puerto Rico Industrial Development Company (PRIDCO), PR-159, Cibuco Ward Corozal, PR (1) 18.33943, -66.32201; (2) 18.33940, -66.32338; (3) 18.33849, -66.32293; (4) 18.33896, -66.32372; and (5) 18.33909, -66.32270. Category E, 0 % of work completed. The applicant will utilize contracts and (or) force accounts for repairs PRIDCO Buildings: T078906600 (DI-219020); T090306800 (DI-219021); T090407000 (DI-219022); T090506800 (DI-219023); and T123007700 (DI-219024). (1) The following components will be removed and replaced in (DI-219020): SBS modified bituminous roofing, flashing, windows, doors, and exterior and interior paint. MITIGATION: The sub-recipient has decided to pursue mitigation in (DI-219020) by installing termination bar to the roof membrane; by installing extra anchoring for the windows; and by using waterproof coating to replace exterior paint. (2) The following components will be removed and replaced in (DI-219021): windows, doors, chain link fence including its components, and exterior paint. MITIGATION: The sub-recipient has decided to pursue mitigation in (DI-219021) by strengthening the chain link fence; by installing extra anchoring for the windows; and by using waterproof coating to replace exterior paint. (3) The following components will be removed and replaced in (DI-219022): exhaust fans, SBS modified bituminous roofing, flashing, windows, cement plaster, doors, chain link fence including its components, and interior paint. MITIGATION: The sub-recipient has decided to pursue mitigation in (DI-219022) by installing termination bar to the roof membrane; by strengthening the chain link fence; and by installing extra anchoring for windows. (4) The following components will be removed and replaced in (DI-219023): SBS modified bituminous roofing, flashing, exhaust fans, window, and interior and exterior paint. MITIGATION: The sub-recipient has decided to pursue mitigation in (DI-219023) by installing extra anchoring for the windows and by using waterproof coating to replace exterior paint. (5) The following components will be removed and replaced in (DI-219024): SBS modified bituminous roofing, flashing, metal deck ceiling, cement plaster, windows, doors, chain link fence including its components, interior and exterior paint. MITIGATION: The sub-recipient has decided to pursue mitigation in (DI-219024) by strengthening the

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chain link fence; by installing extra anchoring for the windows; and by using waterproof coating to replace exterior paint. - mlunariv - 04/13/2021 16:36:09 GMT

CATEX CATEGORIES

| Catex Category Code | Description | Selected |
|---------------------|--|----------|
| *n7 | (*n7) Federal Assistance for Structure and Facility Upgrades. Federal assistance for the reconstruction, elevation, retrofitting, upgrading to current codes and standards, and improvements of pre-existing facilities in existing developed areas with substantially completed infrastructure, when the immediate project area has already been disturbed, and when those actions do not alter basic functions, do not exceed capacity of other system components, or modify intended land use. This category does not include actions within or affecting streams or stream banks or actions seaward of the limit of moderate wave action (or V zone when the limit of moderate wave action has not been identified). | Yes |

EXTRAORDINARY

| Extraordinary Circumstance Code | Description | Selected ? |
|---------------------------------|--|------------|
| | No Extraordinary Circumstances were selected | |

ENVIRONMENTAL LAW / EXECUTIVE ORDER

| Environmental Law/ Executive Order | Status | Description | Comment |
|---------------------------------------|-----------|--|---|
| Clean Air Act (CAA) | Completed | Project will not result in permanent air emissions - Review concluded | |
| Coastal Barrier Resources Act (CBRA) | Completed | Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded | |
| Clean Water Act (CWA) | Completed | Project would not affect any water of the U.S. - Review concluded | |
| Coastal Zone Management Act (CZMA) | Completed | Project is not located in a coastal zone area and does not affect a coastal zone area - Review concluded | |
| Executive Order 11988 - Floodplains | Completed | No effect on floodplain/flood levels and project outside floodplain - Review concluded | Based on the ABFE available at https://gis.fema.gov/PuertoRicoABFEs/ accessed on December 17, 2020, the project is outside the floodplain and has no effect on the floodplain values. - mlunariv - 12/17/2020 13:03:46 GMT***DISREGARD PREVIOUS COMMENT*** - mlunariv - 01/26/2021 12:43:33 GMTBased on the ABFE available at https://gis.fema.gov/PuertoRicoABFEs/ accessed on April 9, 2021, the project is outside the floodplain and has no effect on |

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| Environmental Law/ Executive Order | Status | Description | Comment |
|---|-----------|--|---|
| | | | the floodplain values. - mlunariv - 04/13/2021 16:40:29 GMT |
| Executive Order 11990 - Wetlands | Completed | No effects on wetlands and project outside wetlands - Review concluded | Per the USFWS Wetlands Inventory Mapper, accessed on December 17, 2020, the proposed scope of work is not located in a wetland. - mlunariv - 12/17/2020 13:03:57 GMT***DISREGARD PREVIOUS COMMENT*** - mlunariv - 01/26/2021 12:43:39 GMTPer the USFWS Wetlands Inventory Mapper, accessed on April 9, 2021, the proposed scope of work is not located in a wetland. - mlunariv - 04/13/2021 16:40:47 GMT |
| Executive Order 12898 - Environmental Justice for Low Income and Minority Populations | Completed | Low income or minority population in or near project area | |
| | Completed | No disproportionately high and adverse impact on low income or minority population - Review concluded | |
| Endangered Species Act (ESA) | Completed | Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action | Per review of the U.S. Fish and Wildlife Service's Information, Planning, and Consultation System (IPaC), dated December 17, 2020, FEMA has determined that threatened/endangered species and/or critical habitat are present at the project sites of (1) 18.33943, -66.32201; (2) 18.33940, -66.32338; (3) 18.33849, -66.32293; (4) 18.33896, -66.32372; and (5) 18.33909, -66.32270. Based on the project location and scope of work, FEMA has made the following determinations using the PR ESA Matrix in accordance with the agreement between FEMA and the USFWS PR Field Office, dated July 19, 2019: NLAA- Epicrates inornatus (Puerto Rican boa). - mlunariv - 12/17/2020 12:21:44 GMT***DISREGARD PREVIOUS COMMENT*** - mlunariv - 01/26/2021 12:43:15 GMTPer review of the U.S. Fish and Wildlife Service's Information, Planning, and Consultation System (IPaC), dated December 17, 2020, FEMA has determined that threatened/endangered species and/or critical habitat are present at the project sites of (1) 18.33943, -66.32201; (2) 18.33940, -66.32338; (3) 18.33849, -66.32293; (4) 18.33896, -66.32372; and (5) 18.33909, -66.32270. Based on the project location and scope of work, FEMA has made the following determinations using the PR ESA Matrix in accordance with the agreement between FEMA and the USFWS PR Field Office, dated November 17, 2020: NLAA- Epicrates inornatus (Puerto Rican boa). - mlunariv - 04/13/2021 16:39:07 GMT |

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|---|-----------|---|--|
| | Completed | May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence attached) - Review concluded | |
| Farmland Protection Policy Act (FPPA) | Completed | Project does not affect designated prime or unique farmland - Review concluded | |
| Migratory Bird Treaty Act (MBTA) | Completed | Project located within a flyway zone | |
| | Completed | Project does not have potential to take migratory birds - Review concluded | |
| Magnuson-Stevens Fishery Conservation and Management Act (MSA) | Completed | Project not located in or near Essential Fish Habitat - Review concluded | |
| National Historic Preservation Act (NHPA) | Completed | Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (enter date and # in comments) - Review concluded | The proposed activity for DI# 219020 T-0789-0-66-00 complies with programmatic allowance(s) Tier II, Allowance(s) B.1.c, B.1.f, B.4.c, B.5.a, B.6.b, B.6.c and B.8.a; ---DI# 219021 T- 0903-0-68-00 complies with Tier II A.2.b, B.4.c, B.5.a and B.8.a; ---DI# 219022 T-0904-0-70-00 complies with Tier II A.2.b, B.1.c, B.1.f, B.3.a, B.4.c, B.5.b, B.6.b, B.6.c and B.8.a; ---DI# 219023 T-0905-0-68-00 complies with Tier II B.1.c, B.1.f, B.3.a, B.4.c, B.5.a, B.6.b, B.6.c and B.8.a; ---DI# 219024 T-1230-0-77-00 complies with Tier I B.1. and Tier II A.2.b, as identified in Appendix B of the Puerto Rico Programmatic Agreement among FEMA, PRSHPO, and the COR3, as amended November 13, 2019. This determination was made by Elegna Rodriguez (Historic architect) and Daniel Rendon (Archaeologist) who meet the applicable SOI qualifications, pursuant to Stipulation I.B.1.a of the Agreement. DI# 219024 T-1230-0-77-00 dates from 1977, PRIDCO includes date of construction in tagging number. - erodri90 - 04/13/2021 14:32:24 GMT |
| Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA) | Completed | Review concluded | The applicant is responsible to ensure potentially hazardous materials, if any, shall be removed and disposed of in accordance with all applicable federal and state laws and local compliance requirements. - mlunariv - 04/09/2021 18:54:24 GMT |

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| Environmental Law/ Executive Order | Status | Description | Comment |
|---------------------------------------|-----------|--|---------|
| Wild and Scenic Rivers Act (WSR) | Completed | Project is not along and does not affect Wild and Scenic River - Review concluded | |

CONDITIONS

Special Conditions required on implementation of Projects:

5. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If PR boas are found within debris piles, do not capture the animal and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal. If debris piles will be left on site, we recommend they be placed in areas that will not be disturbed in the future.

6. For all boa sightings (dead or alive), personnel designated by the recipient must record the time and date of the sighting and the specific location where the boa was found. Data should also include a photo of the animal dead or alive, and site GPS coordinates, and comments on how the animal was detected and its behavior. If the PR boa was accidentally killed as part of the project actions, please include information on what conservation measures had been implemented and what actions will be taken to avoid further killings. All boa-sighting reports should be sent to the USFWS Caribbean Ecological Services Field Office, Marelisa Rivera - Deputy Field Supervisor, 787-851-7297 extension 206, 787-510-5207, marelisa_rivera@fws.gov.

For Virgin Islands Boas in St. Thomas and Steven's Cay US Virgin Islands (VI boas have not been reported on St. Croix or St. John):

7. Follow the same guidance above but contact the VI Division of Fish and Wildlife (VIDFW), for technical assistance (340-775-6762) and capture of any VI boas. For information on USVI boa, please visit: <https://ecos.fws.gov/ecp/species/3247>. The VIDFW has developed site-specific VI boa protocol; Applicants will be responsible for executing conservation measures recommended by VIDFW. Final project report to be submitted to USFWS.

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

The Applicant must provide documentation at close-out that proves completion of required Conservation Measures.

The following conservation measures are for the Puerto Rican boa (*Epicrates inornatus*):

1. Inform all personnel about the potential presence of the PR boa and the VI boa in areas where the proposed work will be conducted. Photographs of the PR and VI Boa are to be prominently displayed at the site. The recipient must ensure that project personnel is able to correctly identify a PR or VI boa. For information on PR boa, please visit: <https://ecos.fws.gov/ecp/species/6628>.

2. Prior to any construction activity, including removal of vegetation and earth movement, the boundaries of the project area must be delineated, buffer zones, and areas to be excluded and protected, should be clearly marked in the project plan and in the field to avoid further habitat degradation into forested areas. Once areas are clearly marked, and prior to any construction activity, including site preparation, project personnel able to correctly identify a PR or VI boa must survey the areas to be cleared to ensure that no boas are present within the work area. Vehicle and equipment operation must remain on designated access roads/paths and within rights-of way.

3. If a PR boa is found within any of the working or construction areas, activities should stop in the area where the boa was found. Do not capture the boa. If boas need to be moved out of harm's way, project personnel designated by the recipient shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #'s: 787-724-5700, 787-230-5550, 787-771-1124). If immediate relocation is not an option, project-related activities at this area must stop until the boa moves out of harm's way on its own. Activities at other work sites, where no boas have been found after surveying the area, may continue.

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4. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal and let it move on its own or call PRDNER Rangers for safe capture and relocation of the boa (PRDNER phone #: 787-724-5700, 787-230-5550, 787-771-1124). If not possible, the animal should be left alone until it leaves the vehicle on its own.

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

1. The Applicant shall handle, manage, and dispose of all solid and hazardous waste in accordance with requirements of local, state, and federal laws, regulations, and ordinances. In addition, the Applicant shall ensure that all debris is separated and disposed of in a manner consistent with the PR DNER guidelines at a permitted site or landfill.

2. For asbestos containing material and lead base paint the Applicant shall handle, manage, and dispose of all solid and hazardous waste in accordance with requirements of local, state, and federal laws, regulations, and ordinances. In addition, the Applicant shall ensure that all debris is separated and disposed of in a manner consistent with the DNER/EQB guidelines at a permitted site or landfill or provide evidence of the close out permit from DNER/EQB for activities of remediation, abatement or removal of those materials.

3. Unusable equipment, debris, white goods, scrap metal any other material shall be disposed in approved manner and location. In the event significant items are discovered during the implementation or development of the project the Applicant shall handle, manage and dispose petroleum products, hazardous materials and toxic waste in accordance to the requirements of the local and federal agencies. Noncompliance with these requirements may jeopardize receipt of federal funds.

Source of condition: Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)

Monitoring Required: No

Standard Conditions:

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.