

GOVERNMENT OF PUERTO RICO  
PUERTO RICO PLANNING BOARD

October 22, 2025

**RESOLUTION JP-2024-004**  
**Third Amendment**

Federal Consistency Certification with the  
Puerto Rico Coastal Zone Management  
Program  
Community Development Block Grant-Disaster Recovery (CDBG-DR) and  
Community Development Block Grant - Mitigation (CDBG-MIT)

The United States (U.S.) Government, through Major Disaster Declarations (DR-4336 and DR-4339), declared Puerto Rico a disaster area after the devastation caused by Hurricanes Irma and Maria. Considering this event, the U.S. Congress approved Community Development Block Grant-Disaster Recovery (CDBG-DR) funds for Puerto Rico's unmet disaster recovery needs, and Mitigation (CDBG-MIT) funds for the Commonwealth's long-term planning and risk mitigation activities. Moreover, the Congress approved additional CDBG-DR funds for the Commonwealth in response to Major Disaster Declarations: DR-4336, DR-4339, DR-4473, and DR-4671.

The damage caused by high-speed winds, storm surges, earthquakes, flooding, and landslides attributed to major disasters, had devastating effects on Puerto Rico's coastal areas that need to be addressed in an expeditious manner. While many of the direct emergency needs have been met, disaster recovery and mitigation need of the Commonwealth are on-going and will continue into the near future.

Law Number 75 of June 24, 1975, as amended (Organic law of the Puerto Rico Planning Board) grants the Puerto Rico Planning Board (PRPB) the responsibility and powers to guide the comprehensive development of Puerto Rico, guaranteeing the general well-being of its current and future inhabitants.

The Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq) establishes that federal agency activities including the award of Federal Assistance must be consistent to the maximum extent practicable with the enforceable policies of approved state management programs. The Puerto Rico Planning Board (PRPB) is the designated state agency to review and determine Federal Consistency with the Puerto Rico Coastal Zone Management Program (PRCZMP) according to established procedures at 15 CFR Part 930.

The Commonwealth of Puerto Rico is formally the Grantee for the CDBG-DR and CDBG-MIT funds. The Governor of Puerto Rico designated the Puerto Rico Department of Housing (PRDOH) as the grantee for the purposes of administering these funds and executing grant agreements with the U.S. Department of Housing and Urban Development (HUD), the federal oversight agency for the CDBG-DR and CDBG-MIT funding.

Taking into consideration the high volume of requests for federal assistance that has been generated as part of the recovery process following the disaster declarations and the current need to expedite this process, the PRPB proceeded to carry out a review of Federal Consistency with the PRCZMP for the following federal assistance programs:

- CDBG-DR eligible activities provided in Section 105(a) of the Housing and Community Development Act of 1974 (HCDA), and outlined in the applicable Federal Register Notices, the CDBG-DR Action Plan and CDBG-DR Program Guidelines.
- CDBG-MIT eligible activities provided in Section 105(a) of the Housing and Community Development Act of 1974 (HCDA), and outlined in the applicable Federal Notices, the CDBG-MIT Action Plan and CDBG-MIT Program Guidelines.

After considering the information provided by PRDOH in relation to the eligible projects and activities to be awarded by the above-mentioned programs, the Puerto Rico Planning Board (PRPB) in their meeting held on July 24, 2024, agreed the following:

- A. The following activities or projects to be financed under the CDBG-DR and CDBG-MIT programs have no significant impact on Puerto Coastal Resources and do not require Federal Consistency review:
  1. Energy and water efficiency improvements for single-family homeowners, as well as small and medium-sized businesses, to enhance resilience. These improvements include the installation of renewable energy systems, such as photovoltaic modules, metering equipment, batteries, mounting and anchoring systems, and electrical accessories needed to create a functional system on existing structures. This also includes PV systems with battery backup for critical loads and water storage systems on roofs or previously impacted areas.
  2. Provide support to entities throughout the Island to offer training in job skills related to the reconstruction and economic growth of Puerto Rico. Also, those skills that are necessary to situate the Island in the economy of the future.
  3. Granting awards of up to \$150,000 for working capital and movable equipment for small businesses and micro-enterprises that suffered physical and/or financial losses due to the Hurricanes. Start-ups created after the Hurricanes are also eligible if they can show their creation was the result of a closure of a previous business of same owner(s), after damage caused by the Hurricanes.
  4. Projects or activities that involve the rehabilitation or renovation of the interior of existing structures, including but not limited to single-family homes, multi-family residential buildings and commercial structures. This may encompass activities such as upgrading electrical and plumbing systems, repairing structural components, remodeling living spaces, and enhancing energy efficiency, all aimed at improving the functionality, safety, and sustainability of the property. Projects located within Historic Zones and Special Flood Hazard Areas (SFHA) are required to adhere to the provisions set forth in Sections E and F of this resolution, where applicable.
  5. Projects or activities that do not involve construction works, designed to assist single-family applicants in mitigating risks and restoring their homes to pre-disaster conditions. These activities are intended to support households in Puerto Rico affected by disasters and may include, but are not limited to, the acquisition of real property for hazard mitigation, and relocation assistance for

households required to move to safer areas, which may include financial support for the purchase of a new home or the construction of a new residence on a purchased vacant lot.

6. Projects or activities that are exempt from construction permits under Act 161-2009, as amended, known as the "Puerto Rico Permit Process Reform Act" and Rule 3.2.4 (Activities Exempt from Construction Permits) including Sections 3.2.4.1, 3.2.4.2 and 3.2.4.3 of the "Joint

Regulation for Evaluation and Expedition of Permits Related to Development, Land Use and Business Operation" (Regulation Number 9473).

- B. Federal assistance awarded under the CDBG-DR and CDBG-MIT programs for demolition of structures with the purpose of restoring green areas, beaches, water retention areas and habitat recovery is consistent with the PRCZMP.
- C. Federal assistance provided under the CDBG-DR and CDBG-MIT programs for projects involving demolition and reconstruction, or the construction of new structures (including projects such as single-family housing developments, multi-family residential buildings, commercial structures, and other types of construction aimed at rebuilding) is consistent with the PRCZMP provided the project fulfils the following requirements:
  - 1- The project must comply with land use regulations established under the Puerto Rico Land Use Plan, Territorial Plans and special plans that apply according to the location of the project.
  - 2- The structure to be constructed or reconstructed must comply with applicable regulations and parameters established in the "Joint Regulation for Evaluation and Expedition of Permits Related to Development, Land Use and Business Operation" (Regulation Number 9473).
  - 3- Each project must provide evidence of compliance with the *PR Environmental Policy Law (Law number 416 of September 22, 2004)* by providing a copy of the Environmental Compliance Determination issued by Puerto Rico Permit Management Office (OGPe) or providing documentation of compliance with the *National Environmental Policy Act (NEPA)* according to *OGPe 2025-002 administrative order issued on March 12, 2025*.
- D. The Federal assistance awarded under the CDBG-DR and CDBG-MIT programs to finance infrastructure projects (according to the definition established by PR state Joint Regulation Number 9473)<sup>1</sup>, are consistent with the PRCZMP if the applicant evidence of compliance with the *PR Environmental Policy Law (Law number 416 of September 22, 2004)* by submitting a copy of the Environmental Compliance Determination issued by Puerto Rico Permit Management Office (OGPe) or providing documentation of compliance with NEPA according to *OGPE 2025-002 administrative order*.

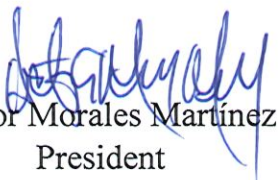
<sup>1</sup> The Regulation Number 9473 defines infrastructure as "a set of works and services that are considered fundamental and necessary for the establishment and operation of an activity, such as communication systems, aqueduct, sewerage, electricity, telephone installations, and health, education, and recreation facilities. It also includes elements such as sheds for public transportation and other elements of urban furniture".


- E. Any project or activity to be financed with CDBG-DR or CDBG-MIT funds (including activities mentioned in Sections A, B, C and D of this resolution) that may impact historic or archaeological resources must have the endorsement of the Puerto Rican Culture Institute (PRCI) or the State Historic Preservation Office (PR SHPO).
- F. The structures to be built, repaired or rehabilitated must preferably be located outside the flood plain and flood risk zones according to the "*FEMA Advisory Base Flood Elevation Maps*" (*FEMA Advisory Maps*) effective on April 13, 2018, or the most recent FEMA map that applies according to the location of the project. Notwithstanding, in established communities and towns that are located within the flood plain, Projects must provide evidence of compliance with the *Special Flood Hazard Zone Regulations* (Planning Regulation No. 13) by submitting the following documents:
- 1- Documentation of Substantial Damage Determination in accordance with the *Operational Guide for Substantial Damage Determinations in Puerto Rico* ("*Guía Operacional para las Determinaciones de Daños y Mejoras Sustanciales en Puerto Rico*").
  - 2- A copy of the *FEMA Elevation Certificate* (Form FF-206-FY22-152), completed and signed by a licensed engineer or surveyor.
- G. For projects that meet all applicable requirements, the PRPB Office of Geology and Hydrogeology (OGH) will issue the Federal Consistency Certification in accordance with this resolution. Projects submitted with complete documentation to evidence compliance with the applicable regulations and parameters established in the *Joint Regulation for the Evaluation and Issuance of Permits Related to Development, Land Use, and Business Operations* (Regulation No. 9473), the *Puerto Rico Environmental Policy Act* (Law No. 416 of September 22, 2004), and those specified in Sections E and F of this resolution, will obtain the Federal Consistency Certification through the express review process to be completed by OGH.
- H. Furthermore, The PR Planning Board on February 1, 2023, issued Resolution JP-339 that covers Federal Emergency Management Agency's (FEMA) Public Assistance Program (PA) and Hazard Mitigation Grant Program (HMGP). Therefore, federal assistance awarded through the "Infrastructure Coordination Program" to match the non-federal items that are required for projects under PA and HMGP programs **are covered by Resolution JP-339 and will not require to be submitted to the PRPB for federal consistency review.**
- I. Hence, Projects for the reconstruction, repair, or rehabilitation of structures for water-dependent uses (piers, boat ramps etc.) **are not covered under this Resolution** and must be filed at the US Army Corps of Engineers through Regulatory Request System (RRS).

This General Federal Consistency Certification will be in effect for five (5) years from the notification date of this resolution. The Certification at reference will be renewed or amended if necessary to extend its validity or address other matters. The implementation of this resolution will be prospective as of the entry into force of this resolution.


**The following parties shall be notified:** Secretary of the PR Department of Housing; US Department of Housing and Urban Development (HUD); Puerto Rico Coastal Zone Management Program, DNER.

**ADOPTED** in San Juan, Puerto Rico on October 22, 2025

  
Héctor Morales Martínez  
President

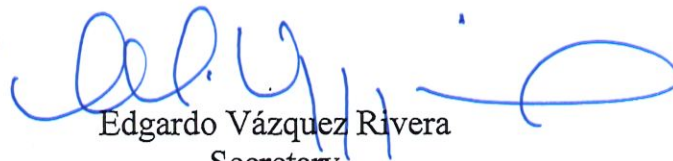
  
Plan. Rebecca Rivera Torres  
Alternate Member

**ABSTAINED**  
Luis Lamboy Torres  
Alternante Member

  
Plan. Emanuel Gomez  
Alternate Member

Certify: That this Resolution is a copy of the agreement adopted by Puerto Rico Planning Board in its meeting of **October 22, 2025**. I expedite and notify this copy to the parties under my sign and official stamp of the Puerto Rico Planning Board stamp, for general use and knowledge.

In San Juan Puerto Rico, today, **NOV 14 2025**

  
Edgardo Vázquez Rivera  
Secretary