

NON-PRASA BACKUP ENERGY

Project Number: 4339-0018

REQUEST FOR PRICE QUOTATIONS

QUALIFYING SOURCES ARE: PROFESSIONAL FIRMS OR
PROFESSIONALS WITH EXPERIENCE IN PERFORMING
ENVIRONMENTAL REVIEWS

NATURE OF CONSULTING SERVICES: ENVIRONMENTAL DATA
COLLECTION ANALYSIS SERVICES

FUNDACIÓN COMUNITARIA DE PUERTO RICO
(FCPR by its Spanish Acronym)

The Federal Emergency Management Agency (FEMA) has made federal funds available to the Government of Puerto Rico under the Hazard Mitigation Grant Program (CFDA 97.039). Fundación Comunitaria de Puerto Rico, Inc. (FCPR) and the Central Office of Recovery, Reconstruction, and Resilience (COR3) has an agreement that addresses the use of that federal grant funding of the program.



QUALIFYING SOURCES ARE: PROFESSIONAL FIRMS OR PROFESSIONALS WITH EXPERIENCE IN ENVIRONMENTAL REVIEWS
NATURE OF CONSULTING SERVICES: ENVIRONMENTAL DATA COLLECTION ANALYSIS SERVICES; NON-PRASA BACKUP ENERGY;
PROJECT NUMBER 4339-0018.

TABLE OF CONTENTS

SECTIONS	PAGE
SPECIAL NOTICE, PART OF THE DOCUMENT PACKAGE	3
REQUIREMENTS AND DETAILS	5
1. INVITATION FOR PRICE QUOTATIONS.....	6
2. GENERAL DESCRIPTION OF PROPOSED PROJECT	8
3. SUBMITTAL OF PRICE QUOTATIONS	11
4. CONTENTS OF SUBMITTAL	11
5. EVALUATION PROCESS.....	13
LIST OF NON-PRASA	17
LETTER OF INTEREST	17

REQUEST FOR PRICE AND RATE QUOTATIONS

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SPECIAL NOTICE, PART OF THE DOCUMENT PACKAGE

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SPECIAL NOTICE

The competitive professional firms or professional's attention is called to the following:

- This project is federally supported with economic assistance of the Central Office of Recovery, Reconstruction, and Resilience (COR-3) under Federal Emergency Management Agency – Hazard Mitigation Grant Program (CFDA-91.039); Project Number 4339-0018.
- Compliance with all Federal statutes relating to non-discrimination is required. These include but are not limited to:
 1. Title of the Civil Rights Act of 1964 (P.L.88-352) which prohibits discrimination based on race, color, or national origin.
 2. Section 112 of PL 92-45 and Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) which prohibit discrimination based on sex.
 3. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) which prohibits discrimination based on disability.
 4. The Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107) which prohibits age discrimination.
 5. The Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255), as amended, relating to non-discrimination based on drug abuse.
 6. The Comprehensive Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to non-discrimination based on alcohol abuse or alcoholism; and
 7. The requirements of any other non-discrimination statute (s) which may apply.
- The professional services must comply with all federal and PR regulations, codes and laws related to this type of project.

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REQUIREMENTS AND DETAILS

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QUALIFYING PROFESSIONALS ARE: Professionals firms or professionals with experience in performing environmental and historic preservation reviews. Qualified professionals for the purpose of this request for quotation are:

- Professional firms with experience in environmental reviews and historic preservation reviews.
- Professionals with a master's in biology, Environmental Science, Environmental Health, Environmental Planning, or other related environmental fields.
- Must have at least five (5) years of professional experience.
- Must have experience performing FEMA/HUD environmental and historic preservation reviews.
- Must have experience with the regulations that implement the National Environmental Policy Act.

1. INVITATION FOR PRICE QUOTATIONS – Scope of Service

Fundación Comunitaria de Puerto Rico (FCPR) invites qualified professional firms or professionals as defined in this document to submit price quotations for environmental data collection analysis services for a Non-PRASA Backup Energy project, according to the Scope of Work describe hereunder. *Note: PRASA stands for Puerto Rico Aqueduct and Sewage Authority.* This is a mitigation project consisting of the planning, design, construction, and installation of back-up power systems in approximately 71 rural communities that manage their own small aqueducts systems (non-PRASA communities). The purpose of the project is to provide multiple power redundancy alternatives to these aqueduct systems to prevent interruption of critical and lifeline potable water supply.

The qualified professionals shall cover all services, for the successful environmental data collection analysis services for a Non-PRASA Backup Energy project. The professional services herein requested includes the following Scope of Work:

REQUEST FOR PRICE AND RATE QUOTATIONS

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NATURE OF CONSULTING SERVICES: ENVIRONMENTAL DATA COLLECTION ANALYSIS SERVICES; NON-PRASA BACKUP ENERGY; PROJECT NUMBER 4339-0018.

Page 7

- Environmental and Historic Preservation (EHP) deliverables (additional studies, agency consultations) will be site-specific and contingent upon the Scope of Work of project 4339-0018 and design.
- This project will require compliance with all applicable Federal laws and Executive Orders (EOs) including, but not limited to, the National Environmental Policy Act, National Historic Preservation Act (NHPA), Clean Water Act (CWA), Coastal Zone Management Act (CZMA), Executive Order 11988 – Floodplain Management, Executive Order 11990 – Protection of Wetlands, and the Endangered Species Act (ESA).
- Any units being placed in the 100-year floodplain must comply with E.O. 11988 ‘Floodplain Management.’ FCPR will need to demonstrate that the proposed project site is the most practicable alternative (44 C.F.R 9.6). To aid in this analysis, FEMA would need details regarding the applicant’s site selection process. This should include a list of alternative sites considered for the proposed project, and reasoning for dismissal of alternatives. Practicability of sites considered may be weighed against (a) Natural environment (topography, habitat, hazards, floodplain, etc.); (b) Social concerns (aesthetics, historical, and cultural values, land patterns, etc.); (c) Economic aspects (costs of space, construction, services, and relocation); and (d) Legal constraints (deeds, leases, etc.). Per 44 C.F.R. 9.11(d), mitigation/minimization standards should be described for any units placed in floodplain i.e. elevation above Base Flood Elevation. In addition, 44 C.F.R. Part 9 (d)(1) prohibits unit placement in the floodway i.e., “There shall be no new construction or substantial improvement in a floodway, and no new construction in a coastal high hazard area, except for: (i) a functionally dependent use or (ii) facilitates open space use.”
- Flood map for each location that clearly identifies project site, panel number, flood zone, and name/location of the flooding zone.

The environmental data collection report will include site coordinates, maps, and scope of work for any additional studies (if needed), and consultation, if applicable. The report must be site-specific with a description of the potential

FUNDACIÓN COMUNITARIA DE PUERTO RICO (FCPR)

WITH ASSISTANCE OF THE CENTRAL OFFICE OF RECOVERY, RECONSTRUCTION, AND RESILIENCE (COR-3) UNDER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FUNDS – HAZARD MITIGATION GRANT PROGRAM (CFDA 97.039).

REQUEST FOR PRICE AND RATE QUOTATIONS

QUALIFYING SOURCES ARE: PROFESSIONAL FIRMS OR PROFESSIONAL WITH EXPERIENCE IN ENVIRONMENTAL REVIEWS

NATURE OF CONSULTING SERVICES: ENVIRONMENTAL DATA COLLECTION ANALYSIS SERVICES; NON-PRASA BACKUP ENERGY; PROJECT NUMBER 4339-0018.

Page 8

environmental impact per site. ***The services must also include any contact, filing or diligence with the pertinent federal and local agencies to obtain the corresponding permits as needed.***

The selected contractor must comply with the environmental review conditions set forth in the Record of Environmental Consideration (REC) issued for this project and included as Exhibit # 1 as part of this RFQ. Also, in Exhibit # 2 is included the Environmental and Historic Checklist that must be performed for each site.

Important Notice: The preliminary designs were prepared by licensed Engineers and are available at the FCPR. The system configuration is site-specific and designed in accordance with community needs. They also identify the preliminary design options (over the roof, carport, ground mounted) of each site.

The quotation must be presented as a total price for all the Scope of Work described above. The price for services must be either a fixed or a cost reimbursement with an agreed maximum. Cost-plus-a-percentage-of-cost or percentage of construction cost forms of compensation are not allowable. The rate and price shall not exceed the prevailing for comparable services.

The list of the non-PRASA sites is identified in this package with the name and location (municipality, address and coordinates).

The agreement for services will require you to perform the environmental data collection analysis ***before June 31st, 2024.***

2. GENERAL DESCRIPTION OF PROPOSED PROJECT

This is a mitigation project consisting of the planning, design, construction, and installation of back-up power systems in approximately 68 rural communities – in different municipalities in Puerto Rico – that manage their own small aqueducts systems (non-PRASA communities). The purpose of the project is to provide multiple power redundancy alternatives to these aqueduct systems to prevent interruption of critical and lifeline potable water supply. The Project includes:

- High-efficiency water pumping equipment with the capacity to operate with solar energy (primary energy source), electric power from PREPA's grid or emergency generators (either with a single or combined/blended source).
- Photovoltaic equipment (solar panels) for the generation of solar energy.
- Emergency generator with integrated fuel storage tank.

This equipment will allow for the uninterrupted operation of the community water systems during emergencies and power outages. The project will improve community resilience and disaster preparedness, reduce vulnerabilities associated to a lack of access to safe drinking water, and empower communities by strengthening their capacities.

PROJECT CONCEPT: The project's objective is to provide power redundancy alternatives for the continued operation of community water distribution systems, maximizing renewable energy use.

The Project proposes the installation of back-up energy systems in rural community aqueducts (also known as non-PRASA systems) that must include:

- a) Replacing the existing water pumps with a high efficiency pumping

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system able to operate with multiple energy sources (solar, emergency power generator, and PREPA's power grid), as needed either with a single or a combined/blended source, optimizing the use of solar energy as a primary source of energy. Water pumping systems could be installed either in groundwater wells, within the water distribution systems, or in surface water intakes. The water pumping system should operate with solar energy as a primary source of energy and PREPA's grid should serve as a back-up, as needed. In the event of a power blackout, the emergency generator should serve as an alternate back-up energy source, as needed by the pumping system. The pumping system should have the capacity to automatically control either energy source as needed to satisfy water demands in each community.

- b) Installation of a photovoltaic (PV) power generation system (solar panels) around but not limited to 20 kW able to operate the system. Battery energy storage systems (BESS) and net-metering are not contemplated as part of the solar energy system. PV array location should be as contiguous as possible to the water pump location.
- c) Installation of an emergency generator (around but not limited to 20 kw) with integrated fuel storage tank placed over a concrete pad. The generator must have fuel storage capacity to operate for at least 3 days, depending on generator capacity.
- d) Automatic transfer switch, control equipment, and materials needed to integrate all system components.

Important Notice: The preliminary designs were prepared by licensed Engineers and are available at the FCPR. The system configuration is site-specific and designed in accordance with community needs. They also identify the preliminary design options (over the roof, carport, ground mounted) of each site.

REQUEST FOR PRICE AND RATE QUOTATIONS

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3. SUBMITTAL OF PRICE QUOTATIONS

Price quotations must be developed and received by the Fundación Comunitaria de Puerto Rico via email (nrsuro@fcpr.org), from **December 21** to (***no later than close of business (5:00 p.m.) of Tuesday, January 2, 2024.*** Any questions should be submitted in writing to nrsuro@fcpr.org, not later than **Thursday, December 28, 2023**, at close of business (5:00 pm). The questions will be answered within two business days.

Responses to questions will be sent to all potential professionals who will answer this request for quotation with the identity of the other professionals remaining anonymous. Responses shall not be construed as in any way amending, modifying, or altering the meaning and intent of this document, unless this document is amended by the FCPR.

4. CONTENTS OF SUBMITTAL

Price quotations submitted by interested qualifying sources shall be in the original and one (1) digital copy (PDF). It must comply with and contain at least the following documents or evidence:

APPLICABLE TO ALL PROPONENTS

- a. Letter of Interest, typed **as provided in this package**, in the letterhead, and signed by the principal of the proponent organization.
- b. Corporate and/or Professional information which includes the following information in the **order** listed:
 1. Name of the firm and/or professional(s)
 2. Employer Identification Number Last four digits XX-XXX_____.
 3. Social Security Number: Last four digits XXX-XX-_____ in the instance of incurring in business with a natural person.
 4. State Department (as applicable).
 5. Merchant Registration Number

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Page 12

6. Name of owner (s) and/or principal (s)
7. Physical address
8. Postal address
9. Telephones
10. Email address
11. As applicable, identify the personnel to be assigned to the project, including names, college/university titles, positions, college/university titles, licenses, certifications, memberships, experiences and resumes of professionals to carry out this specific project.
12. A proposed timetable for the services requested in this document.
13. A price quotation.

Compliance with this information and order of presentation is required.

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5. EVALUATION PROCESS

- A. Price quotations received will be evaluated by FCPR. ***FCPR will determine the responsible licensed consulting firms or professionals whose price is the most advantageous to the program.*** The competitor's evidence as a Qualifying Source will also be evaluated, and will be selected, subject to negotiation of final terms and conditions including methods of payments and other applicable contracting requirements. The criteria that will apply during the evaluation process is the following:
1. Documentation evidencing that firm or professional is a Qualifying Source.
 2. Total cost for the service requested herein.
- B. A contract award must not be made to a party listed on the federal government wide exclusions in the System for Award Management (SAM).
- C. FCPR reserves the right to cancel, postpone or reject any or all proposals and will not be liable for any claims, loss, damages, or respondent costs resulting from the announcement of this Request for Price Quotations.
- D. FCPR will perform a cost or price analysis to ensure reasonability within the actual market for the services requested.

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LIST OF NON-PRASA

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QUALIFYING SOURCES ARE: PROFESSIONAL FIRMS OR PROFESSIONAL WITH EXPERIENCE IN ENVIRONMENTAL REVIEWS

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List of Non-PRASA

#	Community	Municipality	Location
1	556055- Bo. Mamey	Patillas	18.02598, -65.9916
2	556075-Bo. Jacaboa - Higuero	Patillas	17.99542601, -65.95294930
3	556145 – Bo. Marin Sector Betancourt	Patillas	18.03061, -66.00636
4	613046- Turabo Arriba	Caguas	18.203307, -66.69725
5	724137 – Comunidad Sector La Riviera	Corozal	18.2976118, -66.2883099
6	724147 – Comunidad Santana	Corozal	18.2957411, -66.28636316
7	510095- Bo. Quebradillas	Barranquitas	18.240479, -66.295166
8	510125- La Tiza II	Barranquitas	18.180901, -66.361433
9	604176 – Comunidad El Llano	Aguas Buenas	18.252339, -66.69725
10	422014 – San Diego	Coamo	18.1003854587206, 66.3545019911048
11	521025 - Carrasquillo	Cidra	18.209139, -66.159694
12	220042- Pozo Azul	Ciales	18.1003854587206, 66.3545019911048
13	510165- Comunidad Doña Mayo	Barranquitas	18.205293, -66.159694
14	510115 – Los Muchos	Barranquitas	18.205931, -66.275887
15	666106 – El Cerro	San Lorenzo	18.152283, -66.000582
16	677016 – Acueducto de Tejas	Yabucoa	18.10883, -65.9006
17	677206- Jácana Piedra Blanca 2	Yabucoa	18.112932, -65.918823
18	455334 – Comunidad Limones	Orocovis	18.2463038073664, -66.407493928621
19	401284 – Juan Gonzalez	Adjuntas	18.18154, -66.712359
20	724127 – Comunidad Divisoria	Corozal	18.2511844, -66.361039
21	302033 – Quebrada Larga	Aguada	18.326045, -67.14059
22	351023 – Sonador II	San Sebastián	18.3110844, -67.04186
23	458284 – Pastillo Tibes	Ponce	18.02598, -65.991676
24	455164 – Pellejas II	Orocovis	18.212891, -66.427893
25	422094 - Montería	Coamo	18.0861, -66.3507
26	455134 – Pellejas Gallera	Orocovis	18.1838, -66.473
27	455274 - Taita	Orocovis	18.21447, -66.4748
28	455314 – Saltos Pelleja	Orocovis	18.22339, -66.43326
29	604076 -Comunidad Madriguera	Aguas Buenas	18.22834, -66.1646
30	604096 – Torres Andino	Aguas Buenas	18.25677, -66.1803
31	613196 – Dueños del Paraíso	Caguas	18.20785, -66.1025
32	613246 – Usuarios Pozo Profundo	Caguas	18.16256, -66.0917
33	613036 – Parcelas Cañaboncito	Caguas	
34	613466 – Villa Vigía	Caguas	18.2083, -66.0993
35	724077 – Palmarito Centro	Corozal	18.252, -66.3366
36	754077 - Feijo	Naranjito	18.25025, -66.2618
37	401014 – Las Cruces	Adjuntas	
38	754107 – Nieves Sánchez	Naranjito	18.29682, -66.2824
39	242122 – Las Cuarenta	Lares	18.13280085, -65.91024415

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#	Community	Municipality	Location
40	302053 – Aislada en Desarrollo	Aguada	18.3420963, -67.1448692
41	306053 – Bo. Hatillo	Añasco	18.273084, -66.24793
42	401064 -Palomo	Adjuntas	18.1478337, -66.7627062
43	401384 – Vega Portuguesa	Adjuntas	18.273084, -66.24939
44	478014 - Rubias	Yauco	18.14343, -66.894376
45	523105 – Doña Elena	Comerio	18.25688921, -66.22822013
46	556025 – Bo. Real	Patillas	18.273084, -66.247939
47	556035 – Quebrada Arriba	Patillas	18.05178, -66.0793
48	556125 - Machuchal	Patillas	18.00917, -65.9831
49	644136 - Montones 4	Las Piedras	18.13280085, -65.91024415
50	677206 – Jácanas Sur	Yabucoa	18.0822, -65.9221
51	724097 – Maná III	Corozal	18.26024, -66.315634
52	754057- Anones Maya	Naranjito	18.273084, -66.247939
53	754067 – Anones Centro I	Naranjito	18.268804, -66.258808
54	510195- Helechal - Guayabo	Barranquitas	18.1687598, -66.3380202
55	666176 – Juan Flores	San Lorenzo	18.1693165, -66.0188344
56	458044 – Monte Llano	Ponce	18.1174814, -66.6232391
57	604016 – Las Corujas	Aguas Buenas	18.2185, -66.13944
58	455114 - Sabana	Orocovis	18.234161, -66.378
59	521035 – Pelegrin Santo	Cidra	18.2120708, -66.1688449
60	613366 – Sector La Sierra	Caguas	18.20503, -66.10835
61	306083 – Humatas Deep Water	Añasco	18.3197, -67.106933
62	476314 – Sierrita Caonilla	Villalba	18.12893, -66.42758
63	523095 - Cedrito	Comerio	18.250518, -66.228257
64	523125 – La Prieta Centro	Comerio	18.2470017, -66.1888952
65	401994 – Camino Los Pagán	Adjuntas	18.1807354, -66.7798995
66	478044 - Cerrote	Yauco	18.1520106, -66.8278569
67	724117 – Eladio Andreu	Corozal	18.25078, -66.31194

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FIRM LETTER OF INTEREST

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FIRM LETTER OF INTEREST
(RETYPE OR REPRODUCE IN FIRM LETTERHEAD
WITHOUT CHANGES)
(SIGN AND SUBMIT IN ORIGINAL AND DIGITAL COPY)

Date

Fundación Comunitaria de Puerto Rico
1719 Ponce de León Ave.
San Juan, PR 00909-1905
PO Box 70362
San Juan, PR 00936-8362

Subject: Non-PRASA Backup System Environmental Data and
Collection Analysis Services.
Project Number: 4339-0018

Dear Sirs:

We are pleased to submit the attached proposal in response to your Request for Price Quotation to provide qualified professionals with experience in performing environmental and historic preservation reviews for the Non-PRASA Backup System project (4339-0018).

All information as requested in the solicitation for price quotation is included herewith with sufficient details to meet your requirements.

Certification in Debarment. The proponent certifies by submission of this proposal, that neither it nor its principal (s) and/or associates and/or professionals is (are) presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any local and/or Federal Department or Agency.

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Certification of Non-Conflict of Interest. The proponent certifies that any and no member of the Board of Directors and/or Executives of Fundación Comunitaria de Puerto Rico (FCPR) is a party or has any interest in the revenues, profits, or benefits resulting from the proposal.

Cordially,

Print Name of Firm:

Signature: _____

(Type in name of person signing proposal)

Title/Position: _____

Address: _____

Telephone (s): _____

Fax: _____

E-mail: _____

Date of Signature: _____

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EXHIBIT # 1: Record of Environmental Consideration

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EXHIBIT # 2: Environmental and Historic Checklist

Record of Environmental Consideration

See FEMA Directive 108-1 and FEMA Instruction 108-1-1.

Project Name/Number: Non-PRASA Back up Energy; HMGP: 4339- 0018; Phase 1

Project Location: The final project will address locations for up to 242 Communities Island Wide. Phase I is for preliminary design/studies only.

Project Description: The final project supports the installation of back-up power system and potable water supply for up to 242 communities. This review is for Phase I only so applicant may produce necessary documentation for HMGP and EHP reviews. This review includes no construction activity.

Phase I is to fund Architectural and Engineering (A&E), and similar studies only, associated with this project. There is no funding associated with construction scope of work activities, therefore full EHP compliance review was not completed. Any ground disturbance or construction activity will require an additional EHP review.

National Environmental Policy Act (NEPA) Determination

- Statutorily excluded from NEPA review. (**Review Concluded**)
- Categorical Exclusion - Category A7
 - No Extraordinary Circumstances exist.
 - Are project conditions required? YES (see section V) NO (**Review Concluded**)
 - Extraordinary Circumstances exist (See Section IV).
 - Extraordinary Circumstances mitigated. (See Section IV comments)
 - Are project conditions required? YES (see section V) NO (**Review Concluded**)
 - Environmental Assessment required. See FONSI for determination, conditions and approval.
- Environmental Assessment required. See FONSI for determination, conditions and approval.

Comments: (a7) The commitment of resources, personnel, and funding to conduct audits, surveys, and data collection of a minimally intrusive nature. If any of these commitments result in proposals for further action, those proposals must be covered by an appropriate CATEX. Examples include, but are not limited to: (a) Activities designed to support the improvement or upgrade management of natural resources, such as surveys for threatened and endangered species, wildlife and wildlife habitat, historic properties, and archeological sites; wetland delineations; timber stand examination; minimal water, air, waste, material and soil sampling; audits, photography, and interpretation. (b) Minimally-intrusive geological, geophysical, and geo-technical activities, including mapping and engineering surveys. (c) Conducting Facility Audits, Environmental Site Assessments and Environmental Baseline Surveys, and (d) Vulnerability, risk, and structural integrity assessments of infrastructure.

Conditions:

Reviewer and Approvals

FEMA Environmental Reviewer

Name: Adam Borden

Signature/Date Adam Borden

FEMA Environmental Officer Reviewer or delegated approving official

Name: Sindulfo Castillo

Signature/Date SINDULFO CASTILLO MALDONADO Digitally signed by SINDULFO CASTILLO MALDONADO
Date: 2020.05.05 14:00:56 -04'00'

I. Compliance Review for Environmental Laws (other than NEPA)

A. National Historic Preservation Act

- Not type of activity with potential to affect historic properties. **(Review Concluded)**
- Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (enter date and # in comments). . .
 - Activity meets Programmatic Allowance # _____
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**
- Applicable executed Programmatic Agreement (enter date in comments) **(Review Concluded)**
- Standard Section 106 Review

HISTORIC BUILDINGS AND STRUCTURES

- No properties in the project area are 50 years or older or listed on the National Register **(Review Concluded)**
- Building or structure 50 years or older or listed on the National Register in the project area and activity not exempt from review.
 - Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**
 - Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
 - Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments
 - No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file).
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**
 - Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
 - Resolution of Adverse Effect completed. (MOA on file)
 - Are project conditions required YES (see section V) NO **(Review Concluded)**

ARCHEOLOGICAL RESOURCES

- Project affects only previously disturbed ground. **(Review Concluded)**
- Project affects undisturbed ground.
 - Project area has no potential for presence of archeological resources.
 - Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence or consultation on file). **(Review Concluded)**
 - Project area has potential for presence of archeological resources.
 - Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file).
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**
 - Determination of historic properties affected.
 - NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file).
 - Are project conditions required YES (see section V) NO **(Review Concluded)**
 - NR eligible resources present in project area. (FEMA finding/SHPO/THPO concurrence on file)
 - No Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**
 - Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)
 - Resolution of Adverse Effect completed. (MOA on file)
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.

B. Endangered Species Act

- No listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action. **(Review Concluded)**

Sub-Grantee/Sub-Recipient: Fundacion Commutario de Puerto Rico

- Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action.
 - No effect to species or designated critical habitat. (See comments for justification) **(Review Concluded)**
 - May affect, but not likely to adversely affect species or designated critical habitat. (FEMA determination/USFWS/NMFS concurrence on file) **(Review Concluded)**
 - Likely to adversely affect species or designated critical habitat.
 - Formal consultation concluded. (Biological Assessment and Biological Opinion on file)
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.

Correspondence/Consultation/References:

Conditions:

C. Coastal Barrier Resources Act

- Project is not on or connected to a Coastal Barriers Resource System Unit or Otherwise Protected Area. **(Review Concluded)**
- Project is on or connected to CBRA Unit or Otherwise Protected Area.
 - Proposed action an exception under Section 3505.a.6? **(Review Concluded)**
 - Proposed action not excepted under Section 3505.a.6.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.

Correspondence/Consultation/References:

Conditions:

D. Clean Water Act

- Project would not affect any water of the U.S. **(Review Concluded)**
- Project would affect waters, including wetlands, of the U.S.
 - Project exempted as in kind replacement or other exemption. **(Review Concluded)**
 - Project requires Section 404/401/or Section 9/10 (Rivers and Harbors Act) permit, including qualification under Nationwide Permits.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.

Correspondence/Consultation/References:

Conditions:

E. Coastal Zone Management Act

- Project is not located in a coastal zone area and does not affect a coastal zone area. **(Review concluded)**
- Project is located in a coastal zone area and/or affects a coastal zone:
 - State administering agency does not require consistency review. **(Review Concluded)**.
 - State administering agency requires consistency review.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.

Correspondence/Consultation/References:

Conditions:

F. Fish and Wildlife Coordination Act

- Not applicable for financial assistance. **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.

Correspondence/Consultation/References:

Sub-Grantee/Sub-Recipient: Fundacion Commutario de Puerto Rico

Conditions:

G. Clean Air Act

- Project will not result in permanent air emissions. **(Review Concluded)**
 - Project is located in an attainment area. **(Review Concluded)**
 - Project is located in a non-attainment area.
 - Coordination required with applicable state administering agency.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.

Correspondence/Consultation/References:

Conditions:

H. Farmlands Protection Policy Act

- Project does not affect prime or unique farmland. **(Review Concluded)**
 - Project causes unnecessary or irreversible conversion of prime or unique farmland.
 - Coordination with Natural Resource Conservation Commission required.
 - Farmland Conversion Impact Rating, Form AD-1006, completed.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.

Correspondence/Consultation/References:

Conditions:

I. Migratory Bird Treaty Act

- Project not located within a flyway zone. **(Review Concluded)**
 - Project located within a flyway zone.
 - Project does not have potential to take migratory birds. **(Review Concluded)**
 - Project has potential to take migratory birds.
 - Contact made with USFWS
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.

Correspondence/Consultation/References:

Conditions:

J. Magnuson-Stevens Fishery Conservation and Management Act

- Project not located in or near Essential Fish Habitat. **(Review Concluded)**
 - Project located in or near Essential Fish Habitat.
 - Project does not adversely affect Essential Fish Habitat. **(Review Concluded)**
 - Project adversely affects Essential Fish Habitat. (FEMA determination/USFWS/NMFS concurrence on file)
 - NOAA Fisheries provided no recommendation(s). **(Review Concluded)**.
 - NOAA Fisheries provided recommendation(s).
 - Written reply to NOAA Fisheries recommendations completed.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.

Correspondence/Consultation/References:

Conditions:

K. Wild and Scenic Rivers Act

Sub-Grantee/Sub-Recipient: Fundacion Commutario de Puerto Rico

- Project is not along and does not affect Wild and Scenic River. - **(Review Concluded)**
 - Project is along or affects Wild and Scenic River.
 - Project adversely affects WSR as determined by NPS/USFS. **FEMA cannot fund the action.** (NPS/USFS/USFWS/BLM consultation attached.)
 - Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation attached.)
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.
Correspondence/Consultation/References:
Conditions:

L. Other Relevant Laws and Environmental Regulations

Identify relevant law or regulations, resolution and any consultation/references such as EO 13112 Invasive Species, RCRA or State Soil & Water Conservation Laws and include any conditions by law/EO

II. Compliance Review for Executive Orders

A. E.O. 11988 - Floodplains

- No effect on floodplain/flood levels and project outside floodplain. **(Review Concluded)**
- Located in Floodplain or Effects on Floodplains/Flood levels.
 - No adverse effect on floodplain ad not adversely affected by the floodplain. **(Review Concluded)**
 - Beneficial Effect on Floodplain Occupancy/Values. **(Review Concluded)**
 - Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment.
 - 8 Step Process Complete - documentation attached. **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This EO does not apply.
Correspondence/Consultation/References:

B. E.O. 11990 - Wetlands

- No Effects on Wetlands and Project outside Wetlands. **(Review Concluded)**
- Located in Wetlands or effects on Wetlands.
 - Beneficial Effect on Wetland. **(Review Concluded)**
 - Possible adverse effect associated with constructing in or near wetland.
 - Review completed as part of floodplain review.
 - 8 Step Process Complete – documentation attached. **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.
Correspondence/Consultation/References:
Conditions:

C. E.O. 12898 - Environmental Justice for Low Income and Minority Populations

- No Low income or minority population in, near or affected by the project. **(Review Concluded)**
 - Low income or minority population in or near project area.
 - No disproportionately high and adverse impact on low income or minority population. **(Review Concluded)**
 - Disproportionately high or adverse effects on low income or minority population.
- Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This review is only for approval of Phase 1 (Engineering Design & Analysis) of a several phase process. This law does not apply.
Correspondence/Consultation/References:
Conditions:

III. Other Environmental Issues

Identify other potential environmental concerns in the comment box not clearly falling under a law or executive order (see environmental concerns scoping checklist for guidance).

Comments:

Correspondence/Consultation/References:

Conditions:

IV. Extraordinary Circumstances

Based on the review of compliance with other environmental laws and Executive Orders, and in consideration of other environmental factors, review the project for extraordinary circumstances.

* A “Yes” under any circumstance may require an Environmental Assessment (EA) with the exception of (ii) which should be applied in conjunction with controversy on an environmental issue. If the circumstance can be mitigated, please explain in comments. If no, leave blank.

Yes

- (i) A potentially significant effect on public health or safety;
- (ii) A potentially significant effect on species or habitats protected by the ESA, Marine Mammal Protection Act, Migratory Bird Treaty Act, Magnuson-Stevens Fishery Conservation and Management Act, or other law protecting a species or habitat;
- (iii) A potentially significant effect on historic properties (e.g., districts, sites, buildings, structures, or objects) that are listed in or eligible for listing in the National Register of Historic Places, affects traditional cultural properties or sacred sites, or leads to the loss or destruction of a significant scientific, cultural, or historical resource;
- (iv) A potentially significant effect on an environmentally sensitive area;
- (v) A potential or threatened violation of a Federal, State, or local law or requirement imposed to protect the environment. Some examples of other requirements to consider are: a local noise control ordinance; the requirement to conform to an applicable State Implementation Plan for air quality standards; Federal, Tribal, State, or local requirements to control hazardous or toxic substances; and environmental permits;
- (vi) An effect on the quality of the human environment that is likely to be highly controversial in terms of scientific validity, likely to be highly uncertain, or likely to involve unique or unknown environmental risks. This also includes effects that may result from the use of new technology or unproven technology. Controversy over, including public opposition to, a proposed action absent any demonstrable potential for significant environmental impacts does not itself constitute an extraordinary circumstance;
- (vii) Extent to which a precedent is established for future actions with significant effects;
- (viii) Significantly greater scope or size than normally experienced for this particular category of action;
- (ix) Potential for significant degradation of already existing poor environmental conditions. Also, initiation of a potentially significant environmental degrading influence, activity, or effect in areas not already significantly modified from their natural condition;
- (x) Whether the action is related to other actions with individually insignificant, but cumulatively significant impacts.

Comments:

V. Environmental Review Project Conditions

General comments:

Project Special Conditions:

Work should not commence prior to the issuance of specific FEMA approval except for non-destructive design and planning. Any construction activities initiated prior to FEMA approval will jeopardize FEMA funding.

Standard Conditions:

1. Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
2. 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.

Monitoring Requirements:

E. EHP Checklist

“Yes” indicates that the environmental regulation or statute may apply to your project. Please provide relevant information and/or documentation to support your answers. This list is not all-inclusive.

Environmental Regulation or Statute		Yes	No
National Historic Preservation Act (NHPA)			
1.A	Would the proposed project affect, or is the proposed project in close proximity to, any buildings or structures 50 years or more in age?		
1.B	Will the proposed project involve disturbance of ground?		
Endangered Species Act (ESA)			
2.A	Are federally listed or endangered species, or their critical habitat, present in or near the project area and, if so, which species are present?		
2.B	Will the proposed project remove or affect vegetation?		
2.C	Is the proposed project in or near (within 200 feet), or likely to affect, any type of waterbody or body of water?		
Clean Water Act (CWA) and Rivers and Harbors Act			
3.A	Will the proposed project involve dredging or disposal of dredged material, excavation, the addition of fill material, or result in any modification to water bodies or wetlands designated as “waters of the United States” as identified by the U.S. Army Corps of Engineers or on the National Wetland Inventory?		
Executive Order 11988 (Protection of Floodplains) and Executive Order 11990 (Protection of Wetlands)			
4.A	Does a Flood Insurance Rate Map, Flood Hazard Boundary Map, hydrological study, or some other source indicate that the project is located in, or will affect, a 100-year floodplain, a 500-year floodplain (if a critical action), an identified regulatory floodway, or an area prone to flooding?		
4.B	Is the proposed project located in, or will it affect, a wetland as listed in the National Wetland Inventory?		
4.C	Will the proposed project alter a watercourse, water flow patterns, or a drainage way, regardless of its floodplain designation?		
4.D	Is the proposed project located in, or will it affect, a floodplain or wetland? If yes, the 8-step process summarized in HMA Job Aids must be completed.		
Coastal Zone Management Act (CZMA) and Coastal Barrier Resources Act (CBRA)			
5.A	Is the proposed project located in the State’s designated coastal zone?		
5.B	Is the proposed project located in a Coastal Barrier Resources System Unit or Otherwise Protected Area?		
Farmland Protection Policy Act (FPPA)			
6.A	Will the proposed project convert more than 5 acres of “prime or unique” farmland outside city limits to a non-agricultural use?		

Environmental Regulation or Statute		Yes	No
Resource Conservation Recovery Act (RCRA) and Comprehensive Environmental Response, Compensation, and Liability Act			
7.A	Is there reason to suspect there are contaminants from a current or past use on the property associated with the proposed project?		
7.B	Are there any studies, investigations, or enforcement actions related to the property associated with the proposed project?		
7.C	Will any project construction or operation activities involve the use of hazardous or toxic materials?		
7.D	Are any of the current or past land uses of the property associated with the proposed project or are any of the adjacent properties associated with hazardous or toxic materials?		
Executive Order 12898 (Environmental Justice for Low Income and Minority Populations)			
8.A	Are there any low-income or minority populations in the project's area of effect or adjacent to the project area?		
Other Environmental/Historic Preservation Laws (including applicable State laws) or Issues			
9.A	Are other environmental/historic preservation requirements associated with this project?		
9.B	Are any controversial issues associated with this project?		
9.C	Have any public meetings been conducted, public notices been circulated, or public comments been solicited on the proposed project?		