



UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology
Gaithersburg, Maryland 20899

August 31, 2023

MEMORANDUM FOR THE RECORD

From: Michael Blackmon
NEPA Coordinator
National Institute of Standards and Technology

Subject: Categorical Exclusion

Project: Center for Food Security and Sustainable Agriculture

Location: Inter American University of Puerto Rico
KM.HM 0.4 CARR 719 BO HELECHAL, Barranquitas
Puerto Rico, 00794

The National Environmental Policy Act (NEPA) and associated implementing regulations (40 CFR Parts 1500-1508) require that all major federal actions be reviewed with respect to their environmental consequences. The National Institute of Standards and Technology (NIST) has selected the project: Center for Food Security and Sustainable Agriculture at the Inter American University, Barranquitas Campus for a federal funding grant. Consequently, NEPA and the associated implementing regulations apply to this project.

This memorandum summarizes NIST's environmental review of this project and the determination that this project is categorically excluded from further environmental review under NEPA.

Description of the Action

The Center for Food Security and Sustainable Agriculture is a project underway on the Inter American University, Barranquitas Campus in Puerto Rico. The intent of the project is to increase agricultural resilience, reduce food insecurity, and promote economic development through the application of biotechnological tools. This goal will be realized through the construction of a specialized laboratory, where many of these biotechnological tools can be applied. The laboratory is to be located in a new separate building with a footprint of 62' x 52' (3,224 Square feet) on the Barranquitas Campus.

The general structure of the building is substantially complete, but the facility has not been fully equipped. The environmental impact of the building construction was evaluated in 2019 and a categorical exclusion was issued by the Puerto Rico government (Attachment 1).

NIST's grant funds will be used for the purchase of equipment for the Center for Food Security and Sustainable Agriculture including:

- Mechanical works – plumbing, air conditioning, lighting, workplace ventilation and exhaust,
- An emergency electrical generator,
- Computer hardware, software, and networking equipment,
- Laboratory workbenches,
- Laboratory equipment – atomic emission spectrophotometers, ultraviolet and visible light spectrophotometers, centrifuges, pH meters, analytical balances, biosafety cabinets, bioreactors, cryogenic freezers, refrigerators, autoclaves, and
- other minor equipment and supplies.

Effects of the Action

NIST has determined that no significant environmental impacts are expected from the equipment purchase, installation, and operation.

Categorical Exclusion

The activities associated with this project fall under the following Department of Commerce Categorical Exclusions:

A1 Minor renovations and additions to buildings, roads, airfields, grounds, equipment, and other facilities that do not result in a change in the functional use of the real property, and

A-7 Acquisition, installation, operation, and removal of communications systems, data processing equipment, and similar electronic equipment.

Since this grant will only fund equipment purchases, the project meets the conditions described above in categorical exclusions A-1 and A-7.

The proposed project, Center for Food Security and Sustainable Agriculture at the Inter American University, Barranquitas Campus, is categorically excluded from the need for further environmental review under NEPA. Any changes to the above project will require additional NEPA review.

Michael Blackmon
NIST NEPA Coordinator

Date

R.C. Vaughn
NIST Chief Facilities Management Officer

Date

Attachment 1



Certificación de Cumplimiento Ambiental por Exclusión Categórica

Ampliacion Universidad Interamericana de PR Recinto de Barranquitas

Fecha de Expedición:

11/SEP/2019

Datos de Localización

De conformidad con las disposiciones contenidas en las leyes y los reglamentos vigentes, se expide la presente Certificación de Exclusión Categórica para la acción(es) antes descrita(s):

Dirección Física:

Dirección: KM.HM 0.4 CARR 719 BO HELECHAL

Municipio: Barranquitas

Estado: Puerto Rico

Código Postal: 00794

Dueño:

Universidad Interamericana de Puerto Rico

Sometido por:

Nanette Ortiz

Calificación

Distrito(s) de Calificación: DT-G

Distrito en el Mapa de Inundabilidad: X (87.8%), A (12.2%)

Tipo de Suelo: DaD (61.9%), HtE (21.8%), Uv (16.4%)

Número(s) de Catastro:

273-002-056-02

Datos de determinación

Exclusión Categórica

Números de exclusión categórica aplicables de acuerdo a la R-11-17 de la JCA*:

36

Fecha de Expedición:

11/SEP/2019

Condiciones Generales

De acuerdo con la solicitud de esta Determinación, se certificó cumplimiento con los siguientes requisitos, cuyo incumplimiento podrá repercutir en la revocación de esta Determinación:

1. Las actividades de uso o de construcciones livianas de nuevas estructuras no están ubicadas o desarrolladas en:
 - a. Areas especiales de riesgo de inundaciones, derrumbes o marejadas.
 - b. Areas en las que la Junta de Calidad Ambiental (JCA) u otras agencias gubernamentales estatales o federales hayan determinado que existe un grado de contaminación que excede el permitido por los reglamentos vigentes.
 - c. Areas ecológicamente sensitivas o protegidas, según establecido por el Departamento de Recursos Naturales y Ambientales (DRNA), en las que existan especies únicas de fauna o flora o que estén en peligro de extinción o en las que puedan afectarse ecológicamente sistemas naturales o artificiales, ya sea en forma directa o indirecta.
 - d. Areas en las que existan problemas de infraestructura o de deficiencias en los sistemas de servicios de suministro de agua potable, disposición de las aguas sanitarias, suministro de energía eléctrica o capacidad vial para el manejo adecuado del tránsito de vehículos de motor.
 - e. Areas que constituyan yacimientos minerales, conocidos o potenciales.
 - f. Areas en las que existen yacimientos arqueológicos o de valor cultural, según determinado por el Instituto de Cultura Puertorriqueña (ICP).
 - g. Areas de topografía escarpada, en cuencas hidrográficas donde se puedan afectar fuentes de abasto de





Certificación de Cumplimiento Ambiental por Exclusión Categórica

agua potable.

h. Cualquier otra acción que la JCA haya establecido mediante Resolución.

2. No descargarán contaminantes a cuerpos de agua, ni generará desperdicios peligrosos o emisiones al aire que excedan dos (2) toneladas al año de contaminantes de aire criterio, o cinco (5) toneladas de cualquier combinación de contaminantes criterios, ni emitirá al aire contaminantes peligrosos o tóxicos u olores objetables.

3. La disposición o descarga de las aguas usadas se realizará mediante acometidas a un sistema sanitario existente, lo cual requerirá la obtención del endoso de la AAA previo a la solicitud de permisos de construcción.

4. Que existe la infraestructura necesaria (agua potable y alcantarillado sanitario suministrado por la AAA, energía eléctrica, alcantarillado pluvial, vías de acceso) para servir a la operación del proyecto o actividad propuesta, con excepción de los proyectos agrícolas que se ubican por regla general en las áreas rurales, así como las residencias unifamiliares asociadas en las que las instalaciones de esa naturaleza son limitadas.

5. La operación de la actividad no afectará áreas residenciales o zonas de tranquilidad por contaminación sónica según establecido por el Reglamento para el Control de la Contaminación por Ruido.

6. Que el desarrollo de la instalación comercial, industrial, de servicio, institucional y de desarrollo de terrenos para uso turístico y proyectos recreativos no excede de cinco mil (5,000) pies cuadrados de construcción en área total de ocupación y área bruta de piso y que cumple con las condiciones de ubicación y operación establecidas por la OGPe u otra agencia con jurisdicción, según sean aplicables.

7. El uso de edificios o estructuras existentes para facilidades comerciales, almacenes y usos industriales o de servicios no excederán de cien mil (100,000) pies cuadrados en área total de ocupación y área bruta de piso. Dicha operación deberá cumplir con las condiciones de ubicación y operación establecidas por la OGPe u otra agencia con jurisdicción, según sean aplicables, y las establecidas para las exclusiones categóricas en este Reglamento.

8. Para la ejecución o desarrollo de las acciones aprobadas como exclusiones categóricas, se requerirá la obtención de los permisos aplicables de las agencias gubernamentales para las etapas de construcción y operación.

9. La acción no ha sido fragmentada o segmentada para fines de la evaluación y será determinación de la agencia proponente si la misma satisface o no los requisitos para ser considerada y ejecutada bajo una exclusión categórica.

10. Que ha cumplido con el requisito de publicación de un Aviso Público de conformidad con la Regla 122 del Reglamento de Evaluación y Trámite de Documentos Ambientales de la JCA, en el caso que la acción propuesta esté relacionada al uso u otorgamiento de fondos federales que requieran un proceso de evaluación parecido al de NEPA (NEPA-Like Process).

Aviso

Si luego de haberse aquí dado cumplimiento con el Artículo 4(B) de la Ley Núm. 416 surgieran variaciones sustanciales en la acción propuesta que requieran la evaluación a los impactos ambientales, habrá que presentar el correspondiente documento ambiental, de conformidad con la Ley sobre Política Pública Ambiental.

Condiciones Especiales

NINGUNA

Firma / Sellos

Fecha de Expedición:

11/SEP/2019





Certificación de Cumplimiento Ambiental por Exclusión Categórica



Ing. Gabriel Hernández
Secretario Auxiliar
Departamento de Desarrollo Económico y Comercio de Puerto Rico
Oficina de Gerencia de Permisos

Ing. Gabriel Hernández Rodríguez
Secretario Auxiliar



Environmental Compliance Certification by Categorical Exclusion

Expansion Interamerican University of PR Barranquitas Campus

Date of Issue:

SEP/11/2019

Location Data

In accordance with the provisions contained in the laws and regulations in force, this Certification of Categorical Exclusion is issued for the action(s) described above:

Physical Address:

Address: KM. HM 0.4 CARR 719 BO HELECHAL

Municipality: Barranquitas

State: Puerto Rico

Postal Code: 00794

Rating

Rating District(s): DT-G

District on the Flood Map: X (87.8%), A (12.2%)

Soil Type: DaD (61.9%), HtE (21.8%), Uv (16.4%)

Determination data

Owner:

Inter American
University of Puerto
Rico

Submitted by:

Nanette Ortiz

Cadastre Number(s):

273-002-056-02

Categorical exclusion

Categorical exclusion numbers applicable according to R-11-17 of JCA*

36

Date of Issue:

11/SEP/2019

General Conditions

In accordance with the request for this Determination, compliance with the following requirements was certified, non-compliance with which may result in the revocation of this Determination:

1. Activities of use or light construction of new structures are not located or developed in:
 - a. Special areas at risk of flooding, landslides or storm surges.
 - b. Areas in which the Environmental Quality Board (JCA) or other state or federal government agencies have determined that there is a degree of contamination that exceeds that permitted by current regulations.
 - c. Ecologically sensitive or protected areas, as established by the Department of Natural and Environmental Resources (DRNA), in which there are unique species of fauna or flora or that are in danger of extinction or in which natural or artificial systems may be ecologically affected, either directly or indirectly.

- d. Areas where there are infrastructure problems or deficiencies in the systems of drinking water supply, sanitary water disposal, electricity supply or road capacity for the proper management of motor vehicle traffic.
 - e. Areas constituting known or potential mineral deposits.
 - f. Areas in which there are archaeological sites or sites of cultural value, as determined by the Institute of Puerto Rican Culture (ICP).
 - g. Areas of steep topography, in watersheds where sources of supply of drinking water.
 - h. Any other action that the JCA has established through Resolution.
2. Discharge pollutants into bodies of water, generate hazardous waste or air releases exceeding (2) tons per year of criteria air pollutants, or five (5) tons of any combination of criteria pollutants, or emit hazardous or toxic pollutants or objectionable odors into the air.
 3. The disposal or discharge of used water will be carried out through connections to an existing sanitary system, which will require obtaining the endorsement of the AAA prior to the application for construction permits.
 4. That there is the necessary infrastructure (drinking water and sanitary sewerage supplied by the AAA, electricity, storm sewerage, access roads) to serve the operation of the proposed project or activity, with the exception of agricultural projects that are generally located in rural areas, as well as associated single-family residences in which facilities of that nature are limited.
 5. The operation of the activity will not affect residential areas or zones of tranquility due to sonic pollution as established by the Regulation for the Control of Noise Pollution.
 6. That the development of the commercial, industrial, service, institutional and land development facility for tourist use and recreational projects does not exceed five thousand (5,000) square feet of construction in total area of occupation and gross floor area and that it complies with the conditions of location and operation established by the OGPe or another agency with jurisdiction, as applicable.
 7. The use of existing buildings or structures for commercial facilities, warehouses, and industrial or service uses shall not exceed one hundred thousand (100,000) square feet in total occupancy area and gross floor area. Such operation shall comply with the location and operation conditions established by the EPO or other agency with jurisdiction, as applicable, and those established for categorical exclusions in these Regulations.
 8. For the execution or development of the actions approved as categorical exclusions, it will be required to obtain the applicable permits from government agencies for the construction and operation stages.
 9. The action has not been fragmented or segmented for the purposes of the evaluation and it will be determined by the proposing agency whether or not it satisfies the requirements to be considered and executed under a categorical exclusion.
 10. That it has complied with the requirement of publication of a Public Notice pursuant to Rule 122 of the JCA Regulation on Evaluation and Processing of Environmental Documents, in the event that the proposed action is related to the use or granting of federal funds that require an evaluation process similar to that of NEPA (NEPA-Like Process).

Notice

If, after compliance with Article 4(B) of Law No. 416, substantial variations arise in the proposed action that require the assessment of environmental impacts, the corresponding environmental document must be submitted, in accordance with the Law on Environmental Public Policy.

Conditions Special

NO

Signature / Stamps

Date of Issue:

SEP/11/2019

Mr. Gabriel Hernández Rodríguez

Assistant Secretary