

Federal Emergency Management Agency
FINDING OF NO SIGNIFICANT IMPACT
Programmatic Environmental Assessment
Puerto Rico – Public Facilities Infrastructure Recovery and Resiliency

INTRODUCTION

The mission of the Federal Emergency Management Agency (FEMA) is to reduce the loss of life and property and protect our institutions from all hazards by leading and supporting the nation in a comprehensive, risk-based emergency management program of mitigation, preparedness, response, and recovery. Beginning September 2017, hurricanes Irma and Maria caused significant damages to Puerto Rico both resulting in presidential signing of disaster declarations. Puerto Rico then experienced increased seismic activity leading to an additional disaster declaration signed January 16, 2020 for increased seismic activity applies to designated Municipalities within Puerto Rico. These declarations authorized federal public assistance to affected communities and certain non-profit organizations in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance (Stafford) Act, *as amended*, (42 United States Code [U.S.C.] §§ 5121-5207), *as amended*; the Sandy Recovery Improvement Act of 2013; and the Bipartisan Budget Act of 2018 (Public Law 115-123). The Central Office of Recovery, Reconstruction and Resiliency (COR3) is the recipient for FEMA grants and multiple agencies may be the subrecipient for specific projects.

This Programmatic Environmental Assessment (PEA) is prepared in accordance with Section 102 of the National Environmental Policy Act (NEPA) of 1969, *as amended*; and the regulations for implementation of the NEPA (40 Code of Federal Regulations [CFR] §§ 1500 to 1508). The purpose of this PEA is to consider the potential environmental impacts of different project alternatives, including a no action alternative, and to determine whether to revise or withdraw the PEA, prepare a Finding of No Significant Impact (FONSI), or initiate an Environmental Impact Statement.

Recent changes to the President’s Council on Environmental Quality (CEQ) regulations implementing NEPA became effective on September 14, 2020 (85 Fed. R. 43304-76 [July 16, 2020]). As stated in 40 CFR § 1506.13, the new regulations apply to any NEPA process initiated after September 14, 2020. This PEA substantively commenced prior to that date; therefore, this PEA conforms to the CEQ NEPA implementing regulations that were in place prior to September 14, 2020, and procedures adopted pursuant to Department of Homeland Security Directive 023-01, Rev. 01, and FEMA Directive 108-1. In accordance with above referenced regulations, directive, and instruction, FEMA evaluates and considers the environmental consequences of major federal actions it funds or undertakes.

If a proposed project meets the scope, impacts, and mitigation under this PEA, FEMA will then conduct any remaining project-specific reviews and consultations with federal regulatory partners. Projects exceeding the thresholds or having impacts greater than considered in this PEA may result in a tiered environmental assessment (EA) or stand-alone project-specific EA. Project proposals that FEMA determines cannot meet a FONSI may require an Environmental Impact Statement (EIS), or FEMA may not fund such a project.

PURPOSE AND NEED

The purpose of the programmatic actions considered herein is to restore Puerto Rican public facilities and their functions to meet the post-disaster needs of subrecipients and increase the resiliency of them in response to future disaster events. The need for this action is to repair public facilities to current codes and standards, equitably restore or increase resiliency measures, reopen facilities closed as a result of disaster events, support alignment to subrecipient needs of restoring facility services, align facilities with local laws, and provide hazard mitigation to increase resiliency in response to future disaster events.

PROJECT BACKGROUND

FEMA prepared this PEA for recovery actions involving public facilities, which is a broad term that may encompass a variety of structures and as many as 43 different subrecipients using such facilities. Public facilities covered under this PEA include:

- Emergency response facilities: state and municipal police, fire stations, Puerto Rico National Guard facilities, and other emergency response facilities;
- Publicly owned and non-profit hospitals, medical centers, and health care facilities;
- Non-profit houses of worship and churches;
- Publicly owned and non-profit higher education facilities, such as, University of Puerto Rico, vocational, and technical/trade schools.
- State and municipal government offices, such as city halls, municipal service centers, among others;
- Public housing communities – managed by the Puerto Rico Public Housing Administration and the Puerto Rico Department of Housing, private non-profit special community housing facilities (orphans, elder care, rehabilitation);
- Judiciary buildings and correction facilities;
- Public recreation facilities including parks, tracks, basketball courts, and pools;
- Libraries, archives, and museums; and
- Puerto Rico Industrial Development Company facilities involving public real estate operations of acquisition, operation, and improving industrial parks including a variety of uses from light to specialized manufacturing, research and development, distribution centers, warehouses, and light industrial activities.

The Stafford Act defines critical services as including power, water, sewer, wastewater treatment, communications, education, and emergency medical care. This PEA includes restoration of the public facilities listed above; however, the analysis of critical facilities including publicly owned and non-profit hospitals, medical centers, health care facilities, urgent care, emergency management offices, police stations, fire stations, and the Puerto Rico National Guard. A comprehensive list of public facilities inclusive of numbers, types, locations, legal status, ownership, and conditions does not currently exist, information regarding holdings and operations of Puerto Rico Industrial Development Company, Puerto Rico Public Buildings Authority, and Puerto Rico Department of Housing is readily available through their online catalogs.

ALTERNATIVES

FEMA developed and considered multiple alternatives to fulfill the purpose and need to address the overall programmatic impacts for an expected large number of public facility projects that FEMA anticipates receiving grant requests from the recipient and subrecipients. The no action alternative (“Future without Federal Project Condition”) will result in no FEMA funding to support protective measures for Puerto Rican public facilities. The programmatic action alternatives for this PEA include Repair of Public Facilities with added Resiliency Measures; Relocation of Public Facilities; and a combination of the action alternatives, allowing the subrecipient the ability to select scopes of work (SOW) that are applicable to addressing the wide range of damages public facilities experienced as a result of the recent natural disasters.

For actions at existing sites, FEMA is considering expansion of facility function, capacity, and density of up to 20%, which aligns with the U.S. Department of Housing and Urban Development (HUD) standards in 24 CFR Part 50 and Part 58. For projects at new sites, FEMA will consider actions ground disturbance of up to five-acres for sites in urban areas and up to two-acres in rural areas. The five-acre threshold aligns with other federal categorical exclusions agency guidance which aid in determining that, beyond extraordinary circumstances, will not have a significant impact to human health or the environment by themselves. For actions in rural areas, FEMA anticipates selecting a more conservative two-acre threshold will aid in limiting impacts to undisturbed areas and for actions warranting additional review.

SUMMARY OF POTENTIAL IMPACTS AND MITIGATION

FEMA evaluated the physical, biological, cultural, and human use settings in which the proposed activities will occur, including restorative actions. This PEA presents a qualitative evaluation of potential impacts to the affected environment. FEMA anticipates that project thresholds evaluated in the PEA and the conditions and permits listed in Section 6.0 will assist in limiting impacts from proposed actions to below the level of major. Additionally, project-specific consultations and agency permitting will further aid in minimizing impacts from proposed actions.

FEMA will review potential SOW under this PEA in accordance with the Clean Air Act. FEMA anticipates that construction emissions will be below threshold levels. The subrecipients will adhere to work hours, use Tier 4 rated equipment, and use ultra-low sulfur fuel, as well as use best management practices during construction to minimize noise, dust, and potential traffic disruptions. For all applicable projects located in non-attainment and maintenance areas, the subrecipient will be responsible for performing a General Conformity applicability analysis.

Each project disturbing equal to or greater than one acre requires the subrecipient to apply for and comply with the Environmental Protection Agency (EPA) Construction General Permit, a National Pollution Discharge Elimination System permit, and a Storm Water Pollution Prevention Plan, along implementing best management practices and guidelines recommended in the Puerto Rico Erosion and Sediment Control Handbook for Developing Areas. Additionally, the subrecipient is responsible for restoring disturbed soils with the planting of native, non-invasive species. Implementing these measures will aid in minimizing impacts to soil compaction and erosion from surface disturbance activities.

If a proposed project is likely to impact Waters of the U.S., the subrecipient will be responsible for obtaining appropriate permits prior to the beginning of work, and implementing all requirements of the permits, including pre-construction notification. Staging areas and access roads must be located outside the jurisdictional boundaries of Waters of the U.S. The implementation of mitigation measures and erosion controls will minimize water quality impacts by limiting sediment escapement and retaining turbid waters within project areas.

If potential actions that may affect or are within a floodplain, under requirements established under 44 CFR § 60.3 and 44 CFR § 9.11, FEMA will conduct the 8-Step Decision-Making Process in accordance with Executive Orders (EO) 11988 and 11990, as well as 44 CFR Part 9. FEMA anticipates actions undertaken under this PEA will have a positive effect on floodplains as they promote to improve the hydraulic flow and protect development from flooding. Mitigation, resiliency measures, and avoidance will minimize their effect on floodplain or wetlands.

Proposed actions in the Puerto Rico-defined coastal zone are subject to review in accordance with the Coastal Zone Management Act and Puerto Rico Coastal Zone Management Program. Pursuant to Federal Consistency Regulations at 15 CFR § 930, FEMA and the Puerto Rico Planning Board signed a Federal Consistency Certificate (Resolution) for Categories C through G work dated October 3, 2018 and signed October 5, 2018 (Resolution JP-2018-324). FEMA will submit Federal Coastal Zone Consistency Determinations for SOW not included in the resolution to the Puerto Rico Planning Board for concurrence. Proposed actions complying with any consultations or fall under the Federal Consistency Certificate will aid in minimizing impacts to coastal resources.

FEMA does not expect the actions under this PEA to adversely affect Endangered Species Act (ESA) listed or proposed species or their designated critical habitat. This PEA does not include any actions that will create a level of impact beyond a “*not likely to adversely affect*” determination for federally listed species or have an *adverse modification* to designated critical habitat. Any such action that will cause an impact beyond not likely to adversely affect will require FEMA to perform additional NEPA compliance. Actions under this PEA may temporarily displace local wildlife and fish during construction; however, landscape and water quality mitigative measures will restore wildlife and fish habitat following completion of public facility actions.

FEMA will review all scopes of work to determine compliance with Section 106 of the National Historic Preservation Act and the programmatic agreement in accordance with the amended *Programmatic Agreement Among the Federal Emergency Management Agency, the Puerto Rico State Historic Preservation Officer (SHPO), and the Puerto Rico COR3* and any project-specific programmatic agreement that may be executed for the undertaking pursuant to Stipulation II.C.6(c) of the amended Programmatic Agreement and in accordance with 36 CFR § 800.14(b). The subrecipient will be responsible for coordination with the Puerto Rico Institute for Culture to comply with historic preservation and archaeological requirements. FEMA anticipates complying with the Programmatic Agreement and adhering to measures within, and in accordance with any consultations with the SHPO, will minimize impacts to cultural resources.

Proposed actions will undergo review to determine any potential impacts to communities with Environmental Justice concerns in accordance with EO 12898. The subrecipient will be responsible for involving the local minority and low-income populations and community when impacts from public facility project construction may occur. Integrating public participation will

aid in determining and minimizing potential impacts within the communities with Environmental Justice concerns.

PERMITS AND REQUIREMENTS

The subrecipient is responsible for obtaining all applicable federal, Puerto Rican, and local permits and other authorizations for project implementation prior to construction and must adhere to all permit conditions. Any substantive change to the approved SOW will require re-evaluation by FEMA for compliance with all federal laws and EOs. Failure to comply with grant conditions may jeopardize federal funds.

AGENCY COORDINATION AND PUBLIC INVOLVEMENT

This Public Facilities PEA was available for agency and public review and comment for a period of 30 calendar days starting August 31, 2022 and ended September 30, 2022. The public information process included a public notice in both English and Spanish in the *Primer Hora* and *el Nuevo Dia* newspapers. On October 7, 2022, the Public Facilities PEA comment period was extended an additional 30 days due to impacts from hurricane Fiona, ending November 5, 2022, again in both languages in the *Primer Hora* newspaper. On August 31, 2022, the publicly available materials included both English and Spanish versions of the PEA, Executive Summary, and Public Notice and were posted on the websites of FEMA and COR3, and is available for download at <https://www.fema.gov/emergency-managers/practitioners/environmental-historic/nepa-repository>. The website link for the PEA was posted on the FEMA Puerto Rico Facebook, Inc. page <https://www.facebook.com/FEMAPuertoRico/> and COR3's website, <https://recovery.pr.gov/es/document-library> and hard copies were distributed to nine municipalities and eight state agency offices.

FINDINGS

FEMA received comments from agencies and the general public during the 60-day public comment period and determined that the comments do not substantively affect the analysis or outcomes; comments received from the three letters are addressed in Attachment A to this FONSI. FEMA determined that Alternative 4, a Combination of the Alternatives, best fulfills the purpose and need of this PEA. In accordance with NEPA and the FEMA Directive and Instruction, FEMA has determined that the evaluated potential actions will have no significant adverse impact on the quality of human health and the environment. As a result of this FONSI, an Environmental Impact Statement will not be prepared, and the actions as described under this PEA may proceed with the constraints described herein. This FONSI serves as the final public notice for the proposed actions. Construction activities shall not start until fifteen days after the signed date of this FONSI.

APPROVED BY:

JOHN J MCKEE Digitally signed by JOHN J MCKEE
Date: 2022.12.22 11:00:49 -05'00'

John J. McKee
Regional Environmental Officer, FEMA Region 2

Date

SIGNED FOR AWARENESS BY:

DANNA E
PLANAS OCASIO

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Date: 2022.12.22 12:39:01
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Danna E. Planas Ocasio Date
Infrastructure Division Director, Joint Recovery Office

JUAN A GONZALEZ-MOSCOSO Digitally signed by JUAN A GONZALEZ-MOSCOSO
Date: 2022.12.22 13:34:42 -04'00'

Antonio Busquets López Date
Hazard Mitigation Division Director, Joint Recovery Office

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Attachment A: FEMA Responses to Agency and Public Comments

Commentor	Comment Summary	FEMA’s Summary Response
NGOs	FEMA received multiple comments in a single letter commenting on and drawing connections between past public comment periods to this PEA.	FEMA is not collecting comments or revisiting past NEPA documents at this time. Only limited comments related to past NEPA documents are address in this table insofar as they relate to on-going efforts.
EPA	Concurs with purpose and need for the proposed action.	Comment noted.
EPA	Recognizes that the majority of adverse impacts will occur during construction, further discussion of required construction related mitigation plans should be included in Section 6, including the potential need for air quality monitoring	The subrecipient will ensure that the appropriate federal, state, and local construction permits be obtained by the construction contractor. The subrecipient is responsible for preparing a General Conformity applicability analysis for applicable actions under this PEA, noted in Section 5.2.
EPA	Further description of what types of critical public facilities are within the coastal zone would help the reader to better understand impacts to these facilities	FEMA identified in Section 5.6.1, Existing Conditions, approximately 18% of the types of facilities identified in Section 3, Background, are within the CZMA, and 0 facilities located within the CBRA system in Puerto Rico.
EPA	The “existing agreements” referenced should be further described	FEMA has an Informal Programmatic Consultation in place with the U.S. Fish and Wildlife Service (USFWS) which contain information regarding conservation measures to be followed to minimize impacts to ESA-listed species.

Commentor	Comment Summary	FEMA's Summary Response
EPA	Commends the commitment to prepare a public engagement plan for communities where construction activities are occurring	Comment noted.
EPA	Commends the commitment to conducting additional NEPA analysis for actions resulting in significant reductions in services supported by a projects critical infrastructure. Additionally, it would be beneficial to ensure that relocation of facilities will minimize distance from users as practicable	Section 1 describes how FEMA intends to use this PEA and Appendix A presents conditions under thresholds this PEA considers where a tiered NEPA evaluation is necessary, and when a separate project-specific NEPA analysis is necessary.
EPA	Appreciates the table provided in Section 9 that clearly describes impacts to different resources for each alternative. A table to display, what factors in the SOW would necessitate a further NEPA analysis beyond the PEA, would also be beneficial	Comment noted.

Commentor	Comment Summary	FEMA's Summary Response
Non-Government Organizations (NGOs)	FEMA did not adequately publicize the availability of this PEA for public comment.	FEMA received an email from one NGO on 9/16/22 requesting the ability to submit comments on 9/19/22 for inclusion into the record. FEMA clarified the public comment period start and end dates. The Public Notice was published on 8/31/22 in the <i>Primera Hora</i> and <i>El Nuevo Dia</i> in both Spanish and English languages indicating that the PEA was available for review for 30 calendar days. FEMA provided an electronic Public Notice to the FEMA Puerto Rico Unified Federal Review Working Group consisting of numerous federal and Puerto Rican agencies. In addition to the planned distribution, FEMA emailed public notice to numerous Puerto Rican non-profit and NGOs. FEMA extended the public comment period with a second public notice on 10/6/2022, the Public Facilities PEA comment period was extended an additional 30 days due to impacts from hurricane Fiona.
NGOs	Utilities PEA and relation to Public Facilities PEA	FEMA prepared the 2020 Utilities Repair, Replacement, and Realignment PEA in anticipation of numerous utility facility projects such as potable water and wastewater storage, treatment, transmission, and distribution; power and communication line transmission; and supplemental power generation, transmission, and distribution facilities. That PEA focused on restoring and providing resiliency to utility services disrupted by the disaster to streamline the compliance review process and separate out actions that would require additional evaluation. This Public Facilities PEA is intended to address restoring and increasing the resiliency of the functions of public facilities including public health and safety, essential government functions, and similar civil society facilities. Section 3 of the PEA elaborates the types of facilities evaluated. FEMA has already considered and addressed comments received on the 2020 Utilities PEA.
NGOs	References to activities that may have significant environmental effects	Most activities that have been submitted to FEMA for review and funding so far have thus far met and been approved under agency statutory or categorical exclusions. This PEA evaluates anticipated, yet to be submitted, feasible activities and impacts that may exceed existing categorical exclusions and illustrates how the agency will continue project-specific reviews, as needed, to meet NEPA obligations. So far, FEMA has not received data or substantive information that changes the evaluation of actions this PEA is intended to address, FEMA's findings through interagency coordination or during the public comment period. The conditions for tiering table and definition of actions under Section 4, Alternatives, limit the range of activities evaluated in the PEA; whereby, exceeding these parameters will require additional project-specific evaluation.

Commentor	Comment Summary	FEMA's Summary Response
NGOs	Single EIS and perception of refusal to address renewables	FEMA anticipates project reviews to extend several years into the future as subrecipients develop and submit actions for funding based on prior experience with other precedent-setting disasters such as hurricanes Katrina and Sandy. The complexity or set of impacts a project or group of projects entail will affect the timing and level of future NEPA reviews potentially resulting in additional PEAs, tiered, or supplemental environmental assessments, project-specific assessments, and possibly programmatic or project-specific environmental impact statements. Following subrecipient project submittal, FEMA will review potential actions from subrecipients that incorporate renewable energy upon agency submittal as FEMA is participating in the Puerto Rico 100 initiative, please refer to the next comment.
NGOs	Reference to PR100 / other energy studies	FEMA is collaborating with the U.S. Department of Energy, U.S. Housing and Urban Development, and the Government of Puerto Rico on renewable energy studies known as PR100. The agencies signed a Memorandum of Understanding in February 2022 to affirm commitments to work toward and support the Puerto Rico's renewable energy goals. More information on the PR100 study and link to the MOU can be found at https://www.energy.gov/articles/doe-dhs-hud-launch-joint-effort-puerto-rico-modernize-energy-grid .
NGOs	Perception that the existing power grid has impacts on ESA species	FEMA reviews actions it undertakes or funds; however, it does not review the disaster impacts or the impacts prior to FEMA's action. Pre-existing conditions are typically considered in FEMA's environmental assessments as background and within the 'no action' alternative. This PEA is intended for public facilities providing services such as emergency response, essential government functions, higher education, and similar civil society facilities, as described in Section 3. FEMA coordinated with USFWS since the earliest days of the disaster response, beyond pre-disaster routine coordination. The USFWS provided FEMA with technical assistance and ultimately concurred with the Caribbean ESA Matrix which assists FEMA's ESA review process and provides conditions for conservation and avoidance measures to minimize impacts of FEMA-funded actions. When projects are submitted to FEMA for funding, FEMA evaluates the project-specific scope of work using the ESA Matrix and USFWS consultation appropriate to the federal action.

Commentor	Comment Summary	FEMA's Summary Response
NGOs	Concern that PREPA working with LUMA is fragmenting projects	For actions involving public power utilities, PREPA is a primary utility project subrecipient and LUMA is a contractor to PREPA. All projects submitted for FEMA review and funding must meet the requirements of the Government of Puerto Rico. COR3 represents the Government of Puerto Rico as FEMA's direct counterpart and federal grant recipient which distributes funding to the subrecipients upon project approval. This Public Facilities PEA is not intended for power grid-specific activities.
NGOs	Perception that the Purpose and Need is inadequate	FEMA drafted the Purpose and Need in the Public Facilities PEA in accordance with standing practice developed through experience from CEQ guidance, FEMA/DHS approved processes, and third-party federal associations. This PEA is intended to address restoration and recovery with additional resiliency measures of facilities providing public services as elaborated in Section 3. the Public Facilities PEA is not intended to address the power grid. Additionally, Section 3 indicates that this PEA is in addition to other topic specific NEPA processes recently completed or forthcoming.
NGOs	Perception that back-up power included in PEA is insufficient	The U.S. Department of Energy defines microgrids as “a group of interconnected loads and distributed energy resources within clearly defined electrical boundaries that acts as a single controllable entity with respect to the grid. A microgrid can connect and disconnect from the grid to enable it to operate in both grid-connected or island-mode.” https://www.energy.gov/sites/prod/files/2016/06/f32/The%20US%20Department%20of%20Energy%27s%20Microgrid%20Initiative.pdf). Microgrids supports modernization of traditional facilities and incorporation of new technologies, reduction of frequency and length of power disruption, alleviating peak power demand, and are flexible to incorporate technologies that make sense for a given location. This PEA discusses alternatives that are permissive of back-up power and single customer microgrids. Those facilities that have integrated back-up power to keep operating during an outage which should increase power reliability and resiliency for those facilities. Subrecipients may decide what back-up power makes fiscal and technical sense for their facilities in their proposals to FEMA for funding. Back-up power in the form of single customer microgrids is not mutually exclusive of repairs, upgrades, and any transition of fuel sources by public utilities; however, both approaches may be necessary to further progress toward Puerto Rico's renewable energy goals.

Commentor	Comment Summary	FEMA's Summary Response
NGOs	Perception that FEMA has been deficient in defining 'resiliency'	This PEA is unable to, and not intended to, address national topics such as an agency-wide definition or issuance of regulation. FEMA's EAs and PEAs consider regulatory conditions, conservation, and avoidance measures from regulatory partners, which supporting current code and construction standards, in concert with mitigation proposals, in order to reduce future risk.
NGOs	Perception that PEA does not reduce air and water impacts	This PEA is not intended to address existing impacts power generation facilities have on air and water quality from the current power grid equipment. FEMA is predominantly a grant reimbursement agency and thus defers those policies to the regulatory agencies for permitting and enforcement actions. FEMA has been in close coordination with the EPA and U.S. Army Corps of Engineers since the early days of the disaster response, and the EPA is a close regular partner on FEMA Region 2 EAs. Subrecipients of FEMA funded actions are responsible for obtaining any applicable permits for projects. These impacts and requirements are discussed in Sections 5.2 and 5.3 for the Clean Air and Clean Water Acts, respectively, and Section 6, permitting and compliance requirements, for all projects submitted to FEMA for funding. By requiring subrecipients use current construction codes and standards in combination with contemporary materials and technologies, FEMA assumes lower air emissions and water quality degradation from those completed actions would be lower than pre-disaster emissions associated facilities with older technologies, construction techniques, and regulatory advancements.
NGOs	Perception that the PEA does not address climate change	FEMA's website contains initiatives and press releases about climate change at https://www.fema.gov/emergency-managers/national-preparedness/climate-change . Much of FEMA's work addresses impacts caused by disasters exacerbated by a changing climate, few projects FEMA evaluates are able to address climate change directly due to the scale of the problem and the relative scope of projects submitted for FEMA funding. FEMA reviews all projects for impacts to wetlands, floodplains, endangered species, historic and cultural resources, and environmental justice, at a minimum. As an additional standard practice, FEMA Region 2 also treats air and water quality among these standard topics that all projects are reviewed. To minimize potential impacts, all project-specific reviews include the requiring the subrecipient obtain and comply with regulatory agency requirements such as permit conditions and measures and following consultation requirements by regulatory and compliance partners. FEMA will review any projects for renewable energy or climate adaptation submitted by applicants for FEMA funding as with any project meeting FEMA's eligibility requirements.

Commentor	Comment Summary	FEMA's Summary Response
NGOs	Perception that the PEA does not sufficiently address environmental justice	As previously stated, this PEA is for restoration of facilities that provide services to the public and not for the energy grid. The PEA addresses environmental justice in Section 5.9; however, as mentioned in the 'no action' alternative, FEMA recognizes that a failure to restore public services is itself a potential adverse impact to low income or historically disenfranchised populations.
PRASA	Modify all language referring to water management systems rainwater to just "water management systems" to make it clear that it considers drinking water and sanitary sewerage systems	Comment noted. Language has already been incorporated into Section 4 defining the action alternatives evaluated by this PEA.
PRASA	We request that it be recognized, accepted and included as a common action within the Alternative 2 on-site repair or replacement of subsea pipeline of any diameter within the previously impacted area, complying with all permits and applicable queries.	Placement of submerged pipeline in coastal areas is not included in this PEA which is for restoration of facilities providing public services.

Commentor	Comment Summary	FEMA's Summary Response
PRASA	We request that it be recognized, accepted and included as a common action within the Alternative 2 repair of trenchless pipes by means of the various coating technologies available on the market, & and measure of mitigation within Alternatives 2 and 3 the installation of pipelines by method of trenchless or bored tunneling for all diameters and bored materials pipe. This type of technology is widely recognized as ecologically rational and environmentally sustainable with minimal impact.	FEMA recognizes directional boring as a common construction technique to install pipe without trenching. While this technique is not specified in the PEA, FEMA intends to not exclude this methodology and based on prior experience, expects it to be similar or lesser impact than trenching as considered in the PEA.
PRASA	We request that the expansion limit of the 20% to 50% based on the boundary size of the impacted parcel, relocate, or consolidate. We found that specifically for water utilities and treatment, 20% (subject to capacity, function or density) is limiting in relation to benefits that can be obtained vs non-significant impacts by increasing %, in particular in projects of consolidation of facilities.	FEMA considered thresholds from other federal agency categorical exclusions, when specified, as a benchmark for impacts that are generally accepted as not significantly impacting the human environment. FEMA will consider changes in size, capacity, or other thresholds in the PEA on a project-by-project basis; Appendix A describes impacts or thresholds considered in the PEA in comparison with those that would require a tiered analysis. Section 1 describes how FEMA intends to use the PEA.

Commentor	Comment Summary	FEMA's Summary Response
PRASA	We request that it be recognized, accepted and included as a common action within the Alternative 2 dredging of sediments in bodies of water, provided that it is not requires going beyond their original depth.	Dredging projects are not covered as part of the scope of the Public Facilities PEA. This PEA is not for dredging activities; Section 3 provides examples of evaluated public facilities the PEA is intended to address.
PRASA	It is recommended to modify the text: "The updating of public facilities to the codes and standards of current construction that provides the minimum requirements to safeguard the public health, as well as the safety and general well-being of the occupants of the buildings.	Comment noted.
PRASA	It is recommended to add the option of "the installation of pipes of all diameters and materials within a previously impacted area, such as roads, tapes and locations of minimum impact, complying with the applicable permits (U.S. Army Corps of Engineers, etc.).	This PEA is not specific to utility projects; Section 4 describes the utilities included as those necessary for the types of facilities mentioned in Section 3 as an example to connect to existing distribution networks.
PRASA	It is recommended to include as an alternative the construction of new supply systems of water, such as wells and raw water intakes in compliance with applicable permits.	This PEA does not consider establishing new water supplies. Sections 2 through 4 describe the actions FEMA is evaluating in the document along with examples of such.

Commentor	Comment Summary	FEMA's Summary Response
PRASA	It is recommended to modify the expansion limitation from 20% to 50% extension territorial. Sanitary Sewer Mitigation Projects feature many more benefits to the environment by reducing the possibility of overflows and environmental situations in several facilities and concentrate them into a single much more resilient one.	This PEA is not for utility systems; Sections 2-4 explain FEMA's intent and type of actions considered in the PEA. FEMA considered thresholds in the PEA derived from other federal agency categorical exclusions that generally do not have a significant impact on the human environment.
PRASA	It is recommended to add to the definition of critical service the drinking water system and sanitary sewerage.	This PEA is not specific to utility projects; Section 4 describes the utilities included as those necessary for the types of facilities mentioned in Section 3 as an example to connect to existing distribution networks.