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**NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES)
PHASE II
REGULATED SMALL MUNICIPAL SEPARATED
STORM SEWER SYSTEMS MS4s**

**GENERAL PERMIT APPLICATION
TRACKING NUMBER PPR040081**

US ENVIRONMENTAL PROTECTION AGENCY
Caribbean Environmental Protection Division
United States Environmental Protection Agency
City View Plaza II Suite 7000
#48PR-165, Km 1.2
Guaynabo, PR 00968-8073

MUNICIPAL OF YABUCOA
PO BOX 97, YABUCOA, PR 00767-0097

MAY 2019

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ESTADO LIBRE ASOCIADO DE PUERTO RICO
Administración Municipal de Yabucoa
Apartado 97 Yabucoa, Puerto Rico 00767 • Tel. (787) 893-3000

OFICINA DEL ALCALDE

May 21, 2019

Carmen R. Guerrero-Pérez
Director
Caribbean Environmental Protection Division
United States Environmental Protection Agency
City View Plaza II Suite 7000
#48PR-165, Km 1.2
Guaynabo, PR 00968-8073

Re: Submit Notice of Intent Form for coverage under the Small MS4 GP: Tracking number PR040081

Dear Director:

It is our privilege to present to the EPA, the new MS4 Yabucoa's Storm Water Management Program (SWMP) to obtain the general NPDES permit for the municipality's Storm Sewer System Discharge. In the content of this SWMP we have rendered the proposed storm water management practices to be implemented by the municipality in a five-year term.

The Department of Transportation and Public Works, DTPW, will be the office responsible to implement and uphold the proposed storm water program.

If you need more information, you can contact Mr. Heriberto Vega, Director of Yabucoa's Department of Transportation and Public Works at (787) 914-5755 at your convenience.

Sincerely,

Wanda Castro Toro
Interim Mayor of Yabucoa

United States Environmental Protection Agency
National Pollutant Discharge Elimination System
Notice of Intent (NOI) for coverage under the Small Municipal Separate
Storm Sewer System (MS4) General Permit (PRR040000) for Puerto Rico

Part A. General Information

1. Name of Municipality or Organization: Municipality of Yabucoa
2. Type: Federal State Municipality Other: _____
3. Existing Permittee: Yes No If yes, provide EPA NPDES Permit Number: PRR040081
4. Location Address:
 - a. Street: Department of Transportation and Public Works
PR-902 Km. 1.0 Limones Ward
 - b. City: Yabucoa State: PR Zip Code: 00767
5. Mailing Address:
 - a. Street: P.O. Box 97
 - b. City: Yabucoa State: PR Zip Code: 00767
6. Telephone Number: 787-893-300 Fax: 787-893-8140
7. E-mail: opmun.yabucoa@gmail.com
8. Standard Industrial Classification (SIC) Code (see instructions for common codes): 9199
9. Latitude: (use the format provided.) Longitude: (use the format provided.)
Approximate center of the regulated portion of the MS4.
18° 03' 02" N (degrees, minutes, seconds) 65° 52' 46" W (degrees, minutes, seconds)
Or
_____. _____ ° N (degrees decimal) _____ . _____ ° W (degrees decimal)

Part B. Primary MS4 Program Manager Contact Information

1. Name: Heriberto Vega
2. Position Title: Director – Yabucoa Municipal Public Works
3. Stormwater Management Program (SWMP) Location (web address or physical location):
Municipality of Yabucoa
4. Mailing Address:
 - a. Street: P.O. Box 97
 - b. City: Yabucoa State: PR Zip Code: 00767
5. Telephone Number: 787-833-2005
6. E-mail: opmun.yabucoa@gmail.com

Part C. Eligibility Determination

1. Endangered Species Act (ESA) determination complete? Yes No
a. Eligibility Criteria (check all that apply): A B C D E
2. National Historic Preservation Act (NHPA) determination complete? Yes No a. Eligibility
Criteria (check all that apply): A B C D

Part D. Map/Boundaries

1. MS4/Organization Description of regulated boundaries (narrative):

The Yabucoa urban zone is located north of PR-3 and includes its traditional urban center and the western part of the

Juan Martin Ward. The municipal urban area has a population of 6047 and a territorial extension of approximately

1.15 square miles. For the purpose of our MS4 management plan, only the delineated urban area is considered the

Service area of the Municipality storm sewer system.

2. Location Map/Boundaries. A location map must be attached showing the pertinent city, town, wards, or boundaries, the boundaries of the Small MS4, including surface water body(s), and the "urbanized area" (UA) when applicable.

Is map attached? Yes No

Part E. MS4 Infrastructure (if covered under the 2006 general permit)

1. Estimated Percent of Outfall Map Complete? (Part 4.2.3 of 2006 general permit): 0 %
a. If 100% of 2006 requirements are not met, enter an estimated date of completion: 09/30/2019
(MM/DD/YYYY)
b. Web address where MS4 map is published:
If outfall map is unavailable on the internet an electronic or paper copy of the outfall map must be included with NOI submission.

Part F. Bylaw/Ordinance Development (if covered under the 2006 general permit)

1. Illicit Discharge Detection and Elimination (IDDE) authority adopted? Yes No
a. Effective Date or Estimated Date of Adoption: _____
(MM/DD/YYYY)
2. Construction/Erosion and Sediment Control authority adopted? Yes No
a. Effective Date or Estimated Date of Adoption: _____
(MM/DD/YYYY)
3. Post-Construction Stormwater Management adopted? Yes No
a. Effective Date or Estimated Date of Adoption: _____
(MM/DD/YYYY)

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Part G. Receiving Waters

List the names of all surface waterbody segments to which your MS4 discharges. For each waterbody segment, please report the number of outfalls discharging into it and, if applicable, any impairments. You may attach additional information.

Waterbody Segment that receives flow from the MS4	Number of Outfalls into receiving waterbody segment	Has any monitoring been performed to outfalls? (Yes/No)	List of Pollutant(s) causing impairment (if applicable)	List of TMDL Pollutant (s) (if any)
Caño Santiago	Unknown	NO	Unknown	Unknown

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Part H. Summary of Stormwater Management Program (SWMP) under the 2006 Small MS4 General Permit
 For every measurable goal and associated Best Management Practice (BMP) listed in the adopted program, provide the following information (You may include additional pages):

BMP Description or BMP ID (e.g.	Goal Achieved?	Continued in next permit	Who was the targeted audience? Explain reason for not achieving goal.	Modification(s) to goals or BMP for next
MCM-1	NO	YES	Activities planned under this MCM will be directed toward the citizens of the community, including students and citizens of all age groups. The goal was not achieved because not activity was performed.	Goals and BMP's remain the same and will be implemented for the next permit cycle.
MCM-2	NO	YES	Activities planned under this MCM will be directed toward all citizens of the community. The goal was not achieved because not activity was performed.	Goals and BMP's remain the same and will be implemented for the next permit cycle.
MCM-3	NO	YES	Activities planned under this MCM will be directed toward all citizens, with emphasis on the industrial and commercial sector of the community. The goal was not achieved because not activity was performed.	Goals and BMP's remain the same and will be implemented for the next permit cycle.
MCM-4	NO	YES	Activities planned under this MCM will be directed toward contractor, construction site operators, inspectors, and enforcement personnel. The goal was not achieved because not activity was performed.	Goals and BMP's remain the same and will be implemented for the next permit cycle.
MCM-5	NO	YES	Activities planned under this MCM will be directed toward contractor, construction site operators, inspectors, and enforcement personnel. The goal was not achieved because not activity was performed.	Goals and BMP's remain the same and will be implemented for the next permit cycle.
MCM-6	NO	YES	Activities planned this MCM will be directed toward municipal employees and enforcement personnel. The goal was not achieved because not activity was performed other than the existence and continuity of the recycling program.	Goals and BMP's remain the same and will be implemented for the next permit cycle.

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Part I. 2016 Stormwater Management Program (SWMP) Summary

Public Education and Outreach (See Part 2.4.2 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Education Topic (Identify the issue your BMP is educating the public about.)	Outreach Method (Describe the method used to convey this topic, e.g. mailing, events, school, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., number mailing sent, people at event, class participation, etc.)
MCM-1	The SWMP activities implemented under Minimum Control Measure (MCM) 1 will focus on increasing public awareness of the harmful effects of storm water runoff and its potential to affect the water quality in the Yabucoa Small Regulated Municipal Separate Storm Sewer Systems (MS4's).	Distribution of Storm Water related materials: Pamphlets, Booklets, and Flyers.	<ul style="list-style-type: none"> a. The number of materials created and distributed. b. The number of events attended with displays. c. The number of people at an event who saw the display or took a pamphlet/booklet. d. The number of educational materials distributed to schools.
MCM-1	Through the media, a campaign can educate a targeted or mass audience about the problems of and solutions to storm water pollution. This effort will increase the exposure of citizens to information relating how to prevent storm water pollution.	Newspaper Campaign	<ul style="list-style-type: none"> a. The number of articles published.
MCM-1	This effort will increase the exposure of citizens to information relating how to prevent storm water pollution.	Web Page (Segment in Municipal Web Page)	<ul style="list-style-type: none"> a. The number of visits to the storm water Web page segment.

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Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)

Public Involvement and Participation (See Part 2.4.3 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will inspire public participation, e.g. special events, volunteer sampling and monitoring efforts, household hazardous waste recycling, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., participation, amount of sampling performed, waste collected, etc.)
MCM-2	The municipality shall promote an annual cleanup that will directly involve citizens in water pollution prevention and make the community aware that most storms drains discharge untreated waters directly into the river and ocean. The municipality will solicit the cooperation of public and private entities to conduct a cleanup. of the streams. The cleanup will elicit volunteers from community and environmental groups as well as teachers to guide the cleanup and identify the types of trash collected.	a. The number of stream cleanups. b. The number of cleanup groups or participants. c. The quantity of trash and recyclables that were removed by the cleanup. d. The number of stream miles cleaned.
MCM-2	Reforestation programs can be used throughout a community to reestablish forested cover on a cleared site, establish a forested buffer to filter pollutants and reduce flood hazards along stream corridors, provide shade and improve aesthetics in neighborhoods and parks.	a. The number of volunteer tree planters. b. The number of trees planted. c. The number of acres planted with trees.

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Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)

Illicit Discharge Detection and Elimination (See Part 2.4.4 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will identify and remove illicit connections from the MS4, e.g. new regulations, investigation practices, removal of illicit connections, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., adoption of bylaws/ordinances, amount of investigation performed, identified and removed illicit connections, etc.)
MCM-3	The Puerto Rico Environmental Quality Board (EQB) has current regulations for the proper siting, sizing and maintenance of septic systems. The municipality will develop a program to detect failing septic systems and notify its findings to the EQB for proper enforcement. Inspections will be performed on an annual basis to those residential areas not served by the State Aqueducts and Sewer Authority. Rural communities are usually served by septic tanks through the Community Services Municipal Office.	a. The number of regular maintenance and inspection reminder issued to owners. b. The number of field tests and screening conducted.
MCM-3	Through a current ordinance, the municipality has prohibited illegal disposal of waste in an unpermitted area such as creeks and rivers or into a storm drain system. The municipality will develop and implement all procedures, programs, and actions required to appropriately enforce these regulations.	a. The number of penalties enforced upon the participants of illegal dumps. b. The number of illegal dumps reported by citizens. c. The number of illegal dump sites cleaned up. d. The number of flyers, posters, or other public education tools distributed, or programs started.
MCM-3	The plan to detect and address illegal discharges to the system will included four main steps: . locate problem areas, find the source, remove or correct illicit connections and document the ensuing course of action.	a. Inventory conducted and sites prioritized for inspection. b. The number of field tests conducted in high-risk areas. c. The number of illicit connections reported. d. The number of survey responses indicating a possible illicit connection. e. The number of illicit connections found. f. The number of illicit connections repaired or replaced.
MCM-3	Implement control procedures for identifying, repairing, and remediation of sewer blockages, infiltration, inflow, and wet weather overflows from sanitary sewers into the storm drain conveyance system.	a. The number of unwarranted connections reported by citizens and/or business employees. b. The number of unwarranted connections found. c. The number of unwarranted connections repaired or replaced. d. The number of flyers, poster, or other public education tools distributed.

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MCM-3	A comprehensive infrastructure map of the MS4 has not yet been created. A storm drain system map will be developed in the first year. Once completed, this map will aid the municipality in targeting outfalls with dry weather flows and other suspicious discharges for more in-depth inspection and monitoring and will help coordinate management activities to remove illicit connections and track storm drain system maintenance.	Storm Sewer System Map
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Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)

Construction Site Stormwater Runoff Control (See Part 2.4.5 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will help control stormwater runoff at construction sites, e.g. new regulations, construction practices, inspection protocols, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., adoption of bylaws/ordinances, amount of inspections performed and sites actively regulated, etc.)
MCM-4	Develop, implement and enforce a program to reduce pollutants in any storm water runoff to Yabucoa's MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of storm water discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more.	The SWMP activities implemented under Minimum Control Measure (MCM) 4 will focus on developing, implementing, and enforcing a program that will reduce or eliminate the impacts of storm water runoff from construction activities that result in a land disturbance of greater than or equal to one acre into the storm sewer system during the permit term throughout the community.
MCM-4	The municipality will solicit, from developers and contractors, the approval letter from the Aqueduct and Sewer Authority (AAA) endorsing connection point from the construction project and once construction is finalized, the municipality will solicit a certification that the connection was performed as required by AAA and in compliance with state laws.	a. The number of sites inspected. b. The number of inspections performed. c. The number of noncompliance permits reported. d. The number of enforcement actions taken. The municipality will require contractors to submit an electronic copy of both the sanitary and the storm sewer system on construction projects.

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Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)

Post-Construction Stormwater Management in New Development and Redevelopment (See Part 2.4.6 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will control stormwater runoff from properties after they are developed, e.g. new regulations, practices, or resources for contractors to use Low	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., adoption of bylaws/ordinances, amount of implemented practices, development
MCM-5	Develop, implement, and enforce a program to address storm water runoff from new developments and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development that discharge into the permittee small MS4. The permittee's program must ensure that controls are in place that would prevent or minimize water quality impacts.	The goal of this measure is to limit surface runoff volumes and reduce water runoff volumes and reduce water runoff pollutant loadings. Since the PR Aqueduct and Sewer Authority, the PR Planning Board and the Department of Natural Resources has existing regulations to address post construction projects, the municipality does not have the need to create an ordinance. Instead, the municipality will inspect construction projects on a regular basis (every three months) to assure installation of any required post-construction storm water control BMP's.
MCM-5	The purpose of the post-construction ordinance is to establish stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing in watersheds within a jurisdiction.	<ul style="list-style-type: none"> a. The number of sites inspected. b. The number of inspections performed. c. The number of noncompliance permits reported. d. The number of enforcement actions taken.

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Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)

Good Housekeeping and Pollution Prevention in Municipal Operations (See Part 2.4.7 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will mitigate stormwater runoff at municipal properties or through municipal activities, e.g. installation of structural stormwater controls on the municipal properties, new practices to reduce pollutant exposure to rain events, runoff management, trainings, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., structural BMPs installed, SOPs developed and implemented, etc.)
MCM-6	<p>Develop and implement an operation and maintenance program that includes a training component and has goal of preventing or reducing pollutant runoff from municipal operations.</p> <p>Using training materials that are available from EPA, the State or other organizations, the program must include employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, building maintenance, new construction, land disturbances, and storm water system maintenance.</p>	<p>The SWMP activities implemented under Minimum Control Measure (MCM) 6 will focus on developing, implementing, and enforcing an operations and maintenance program that will reduce or eliminate the impacts of storm water pollution from open-space maintenance, vehicle and building maintenance, land disturbances, and storm sewer system maintenance during the permit term throughout the urban area. The municipality does not engage in a vehicle maintenance program. The municipal vehicle's maintenance is performed by a private entity.</p>
MCM-6	<p>Municipal employee training programs will be designed to teach staff about potential sources of storm water contamination and ways to minimize the water quality impact of municipal activities, such as park and open space maintenance, fleet and building maintenance, construction and land disturbances, and storm drain system maintenance. Training programs will include a general storm water awareness message, pollution prevention/good housekeeping measures, spill response and prevention.</p>	<p>a. The number of trainings performed. b. The number of employees trained.</p>
MCM-6	<p>This management measure involves employing pavement-cleaning practices such as street sweeping on a regular basis to minimize pollutant export to receiving waters. These cleaning practices are designed to remove from road and parking lot surfaces sediment debris and other pollutants that are a potential source of pollution impacting urban waterways.</p>	<p>a. The number of scheduled road cleanings.</p>

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MCM-6	The municipality currently engages in the regular inspection and cleaning of storm drain systems. Based on inspection results, repair or replacement measures are determined. A summary of all inspections and repairs will be maintained by the Department of Urban Maintenance.	a. The length of storm drainpipe cleaned regularly. b. The number of outfalls inspected and cleaned annually.
MCM-6	The municipality of Yabucoa is currently engage in a recycling pick up program for residential and commercial complexes. Besides collection of recyclables, Yabucoa has one (1) permanent drop off station at the Old DPTW facility. The non-residential program serves to commercial establishments, educational complexes and government offices, including all municipal offices. The program receives cardboard, paper, newspaper, plastic, used oil and used tires.	a. Amount of generated waste recycled. b. The number of establishments served. c. The number of participants in the recycling program. d. The number of residential communities participating in the program.

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Part J. Application Certification and Signature

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Signature of Mayor/Elected Official: _____

Print Name of Mayor/Elected Official: Rafael Surillo Ruiz

Title: Mayor

Date: 05/24/2019

APPENDIX A
US FISH AND WILDLIFE SERVICE LETTER



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Caribbean Ecological Services Field Office
Post Office Box 491
Boqueron, PR 00622-0491
Phone: (787) 851-7297 Fax: (787) 851-7440
<http://www.fws.gov/caribbean/es>

In Reply Refer To:

May 14, 2019

Consultation Code: 04EC1000-2019-SLI-0634

Event Code: 04EC1000-2019-E-00907

Project Name: Yabucoa MS4 Permit

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

THE FOLLOWING SPECIES LIST IS NOT A SECTION 7 CONSULTATION. PLEASE CONTACT OUR OFFICE TO COMPLETE THE CONSULTATION PROCESS

The purpose of the Endangered Species Act (Act) is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect those species and/or their designated critical habitat.

Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action". The enclosed species list provides information to assist with the consultation process with the U.S. Fish and Wildlife Service (Service) under section 7 of the Act. However, the enclosed species list **does not complete the required consultation process**. The species list identifies threatened, endangered, proposed and candidate species, as well as proposed and designated critical habitats, that may occur within the boundary of your proposed project and/or may be affected by your proposed project.

A discussion between the Federal agency and the Service should include what types of listed species may occur in the proposed action area, and what effect the proposed action may have on those species. This process initiates informal consultation.

When a Federal agency, after discussions with the Service, determines that the proposed action is not likely to adversely affect any listed species, or adversely modify any designated critical habitat, and the Service concurs, the informal consultation is complete and the proposed project moves ahead. If the proposed action is suspected to affect a listed species or modify designated critical habitat, the Federal agency may then prepare a Biological Assessment (BA) to assist in its determination of the project's effects on species and their habitat.

However, a BA is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a BA where the agency provides the Service with an evaluation on the likely effects of the action to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a BA are described at 50 CFR 402.12.

If a Federal agency determines, based on its BA or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to further consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species, and proposed critical habitat be addressed within the consultation process.

More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

For more information:

U.S. Fish and Wildlife Service

Caribbean Ecological Services Field Office

Road 301, Km. 5.1 / Bo. Corozo

Boquern, PR 00622

Telephone: (787) 851-7297

Fax: (787) 851-7440

Email: caribbean_es@fws.gov

<http://www.fws.gov/caribbean/es>

Send all documents to:

U.S. Fish and Wildlife Service

P.O. Box 491

Boquern, Puerto Rico 00622

Attachment(s):

- Official Species List
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(787) 851-7297

Project Summary

Consultation Code: 04EC1000-2019-SLI-0634

Event Code: 04EC1000-2019-E-00907

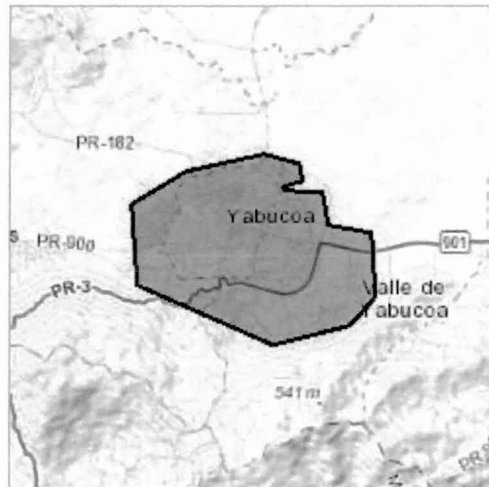
Project Name: Yabucoa MS4 Permit

Project Type: WATER QUALITY MODIFICATION

Project Description: Yabucoa Urbanized Areas

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/18.044134467113896N65.87669533968338W>



Counties: Yabucoa, PR

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Reptiles

NAME	STATUS
Puerto Rican Boa <i>Epicrates inornatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6628 General project design guidelines: https://ecos.fws.gov/ipac/guideline/design/population/156/office/41430.pdf	Endangered

Amphibians

NAME	STATUS
Guajon <i>Eleutherodactylus cooki</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6963	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Wetlands

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- PEM1A
- PEM1C

FRESHWATER FORESTED/SHRUB WETLAND

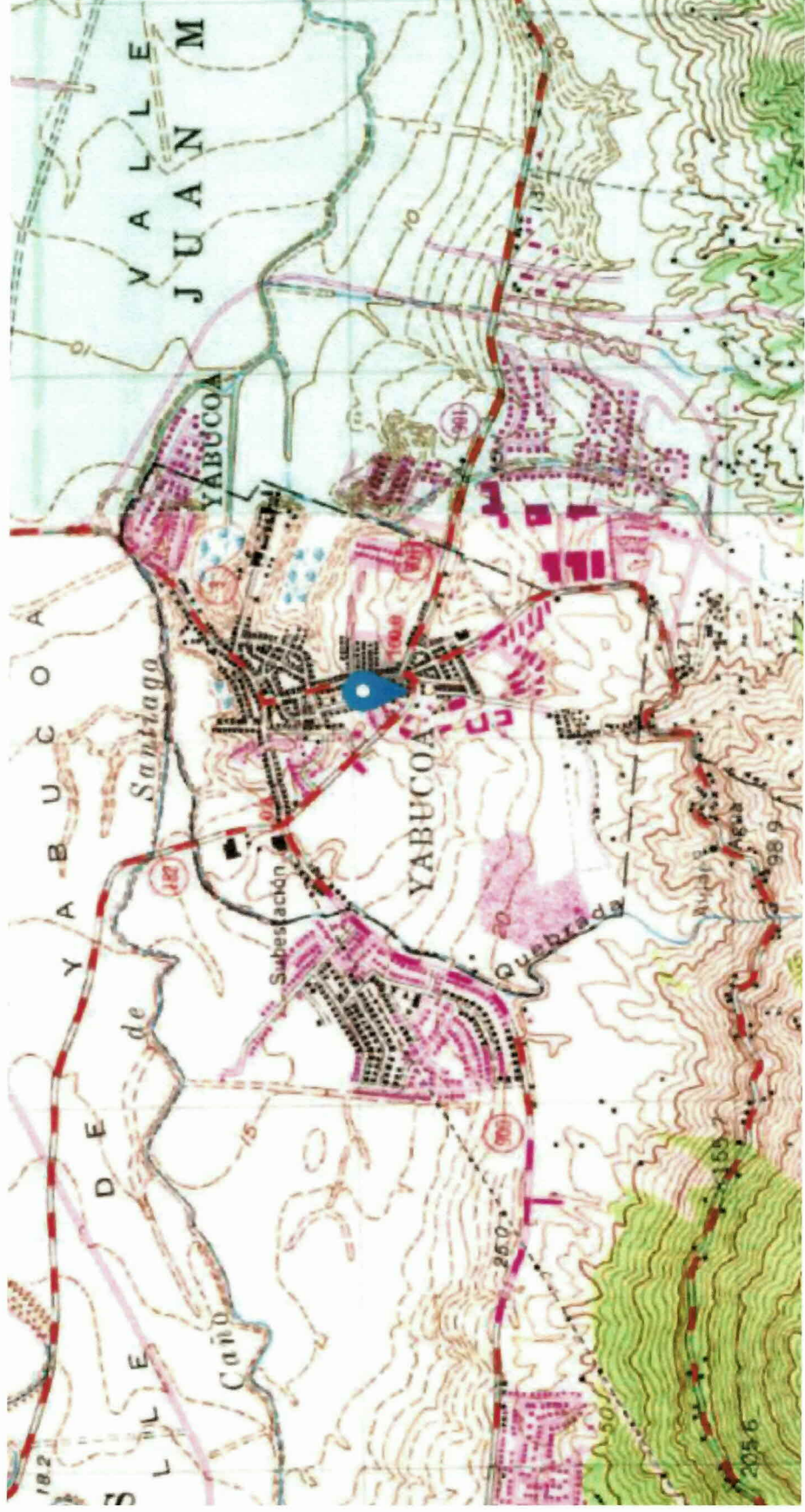
- PFO3A
- PFO3C

RIVERINE

- R4SBC
 - R5UBFx
 - R5UBH
 - R2UBH
-

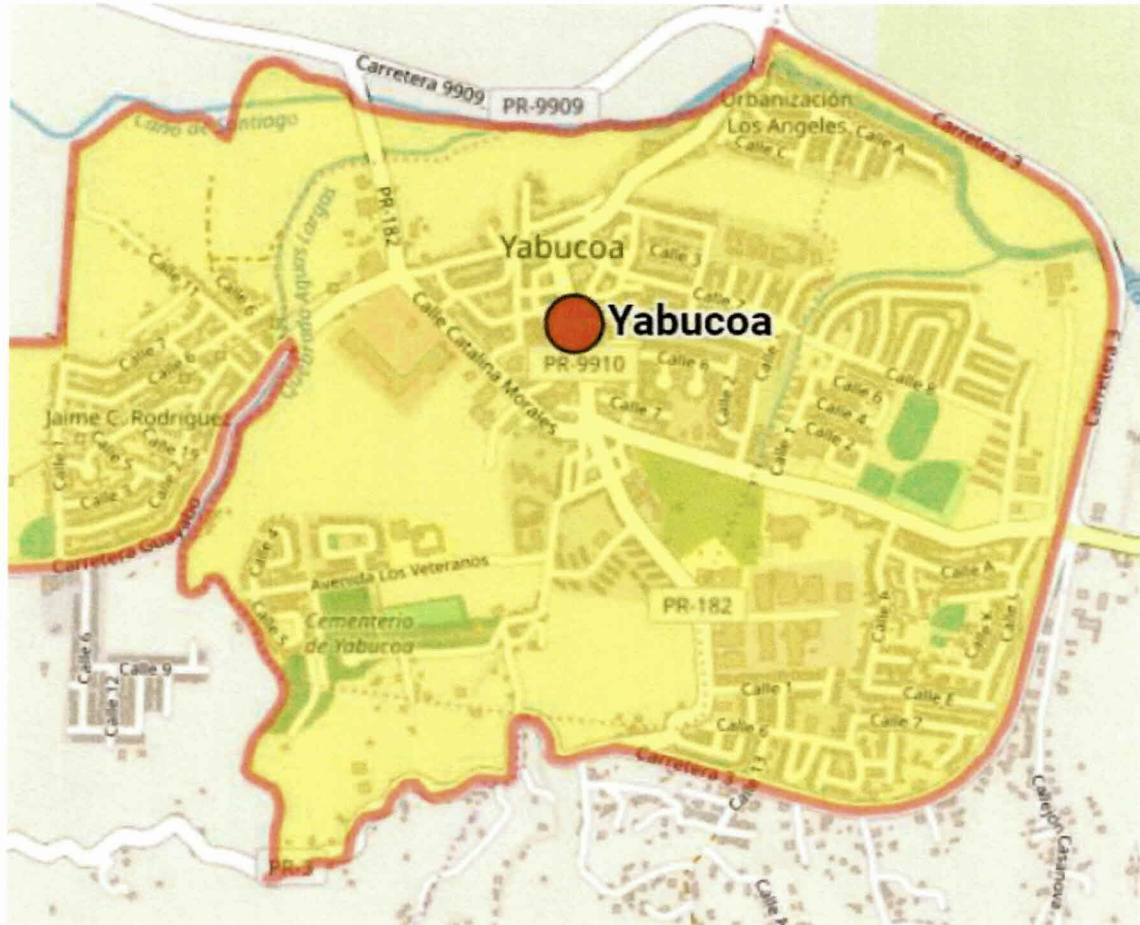
APPENDIX B
LOCATION FISH & WILDLIFE MAP

LOCATION MAP FISH & WILDLIFE



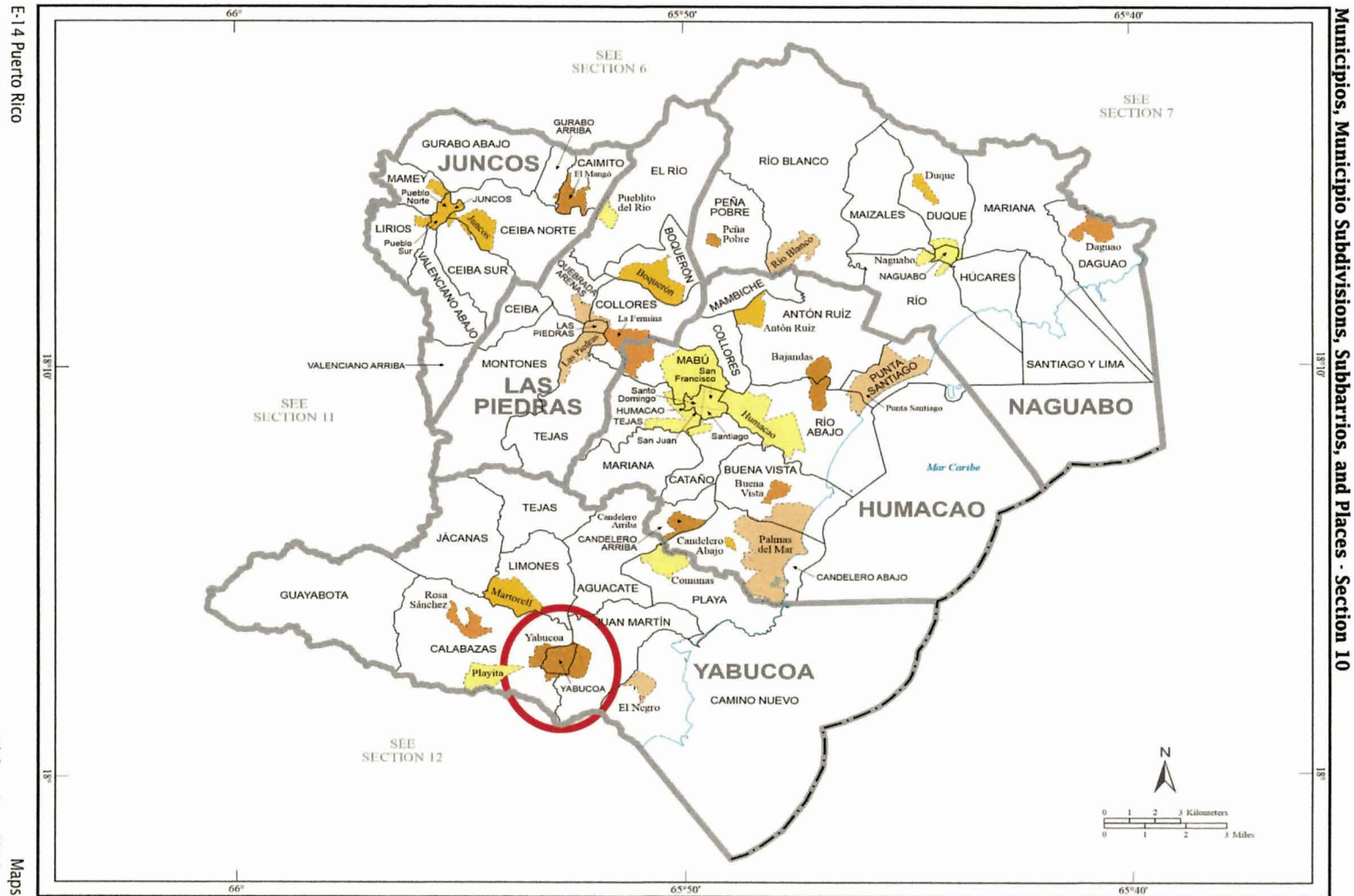
APPENDIX C
YABUCOA URBAN AREA MAP

URBAN AREA



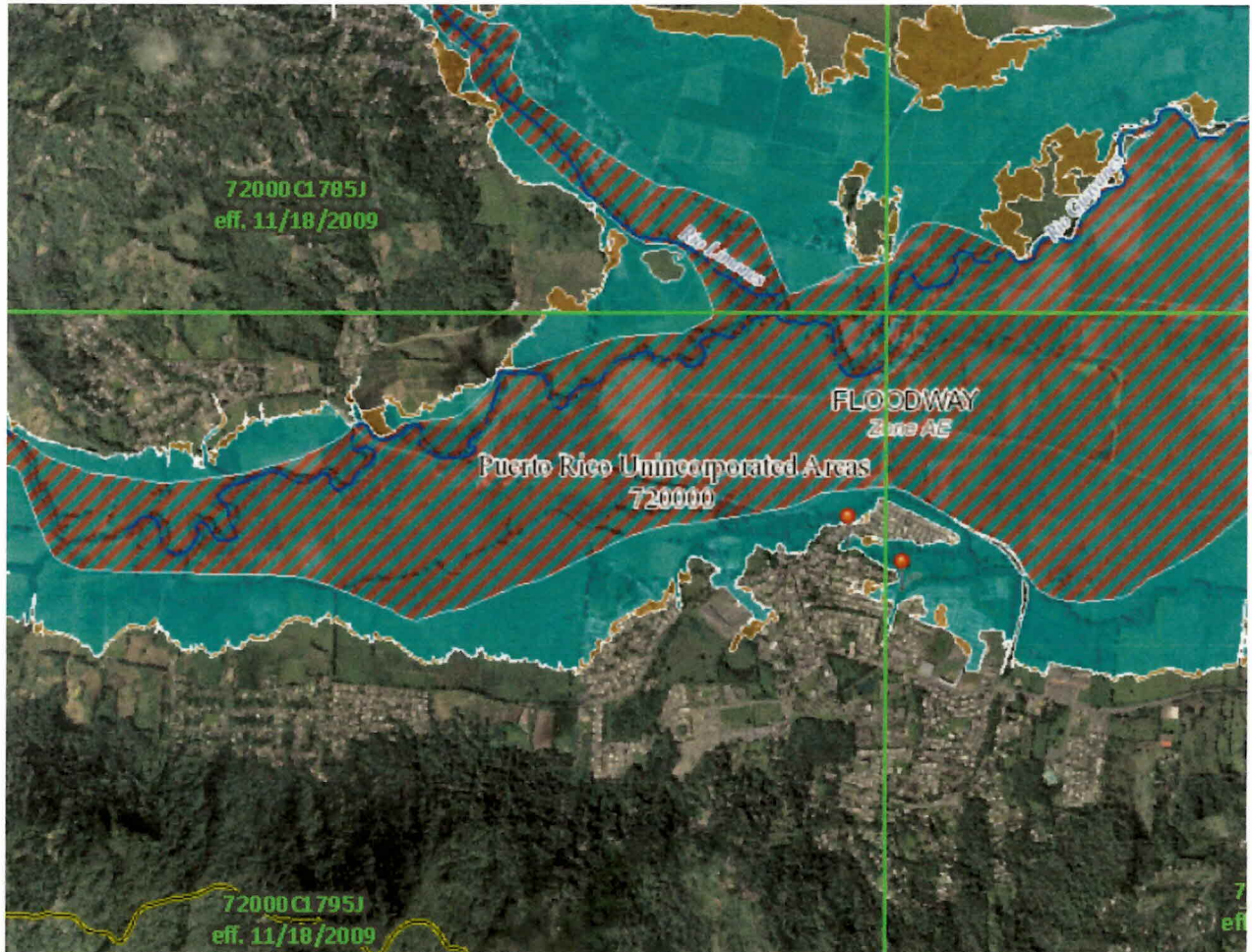
APPENDIX D
YABUCOA REGIONAL LOCATION MAP

YABUCOA LOCATION REGIONAL MAP



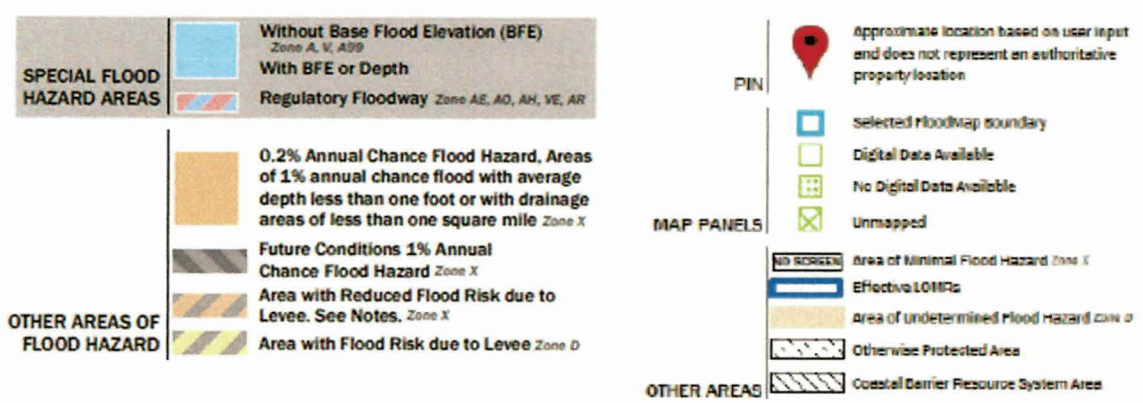
APPENDIX E
YABUCOA FEMA FLOODWAY MAP

YABUCOA FLOODWAY MAP



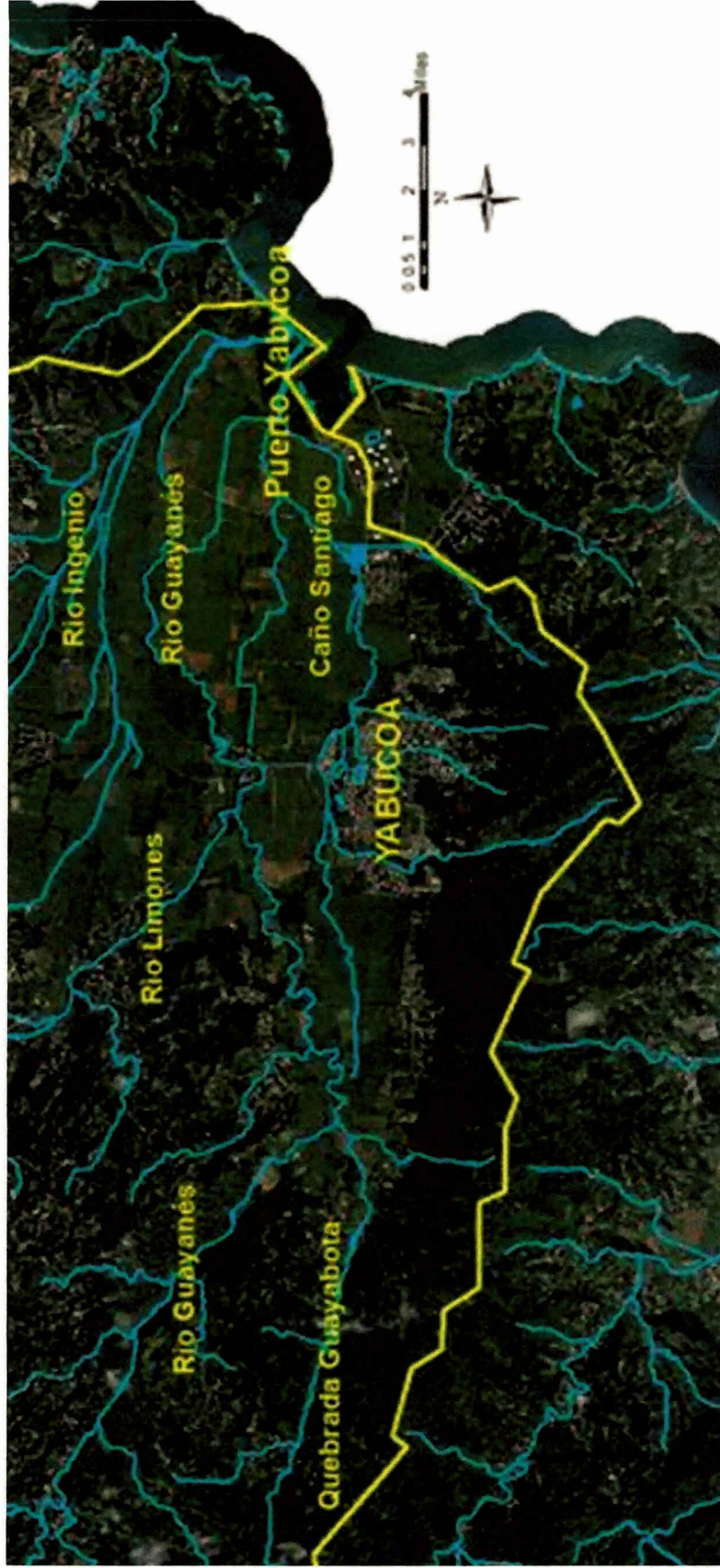
APPENDIX F
YABUCOA URBAN AREA
FLOODWAY INFLUENCE

YABUCOA URBAN AREA FLOODWAY INFLUENCE



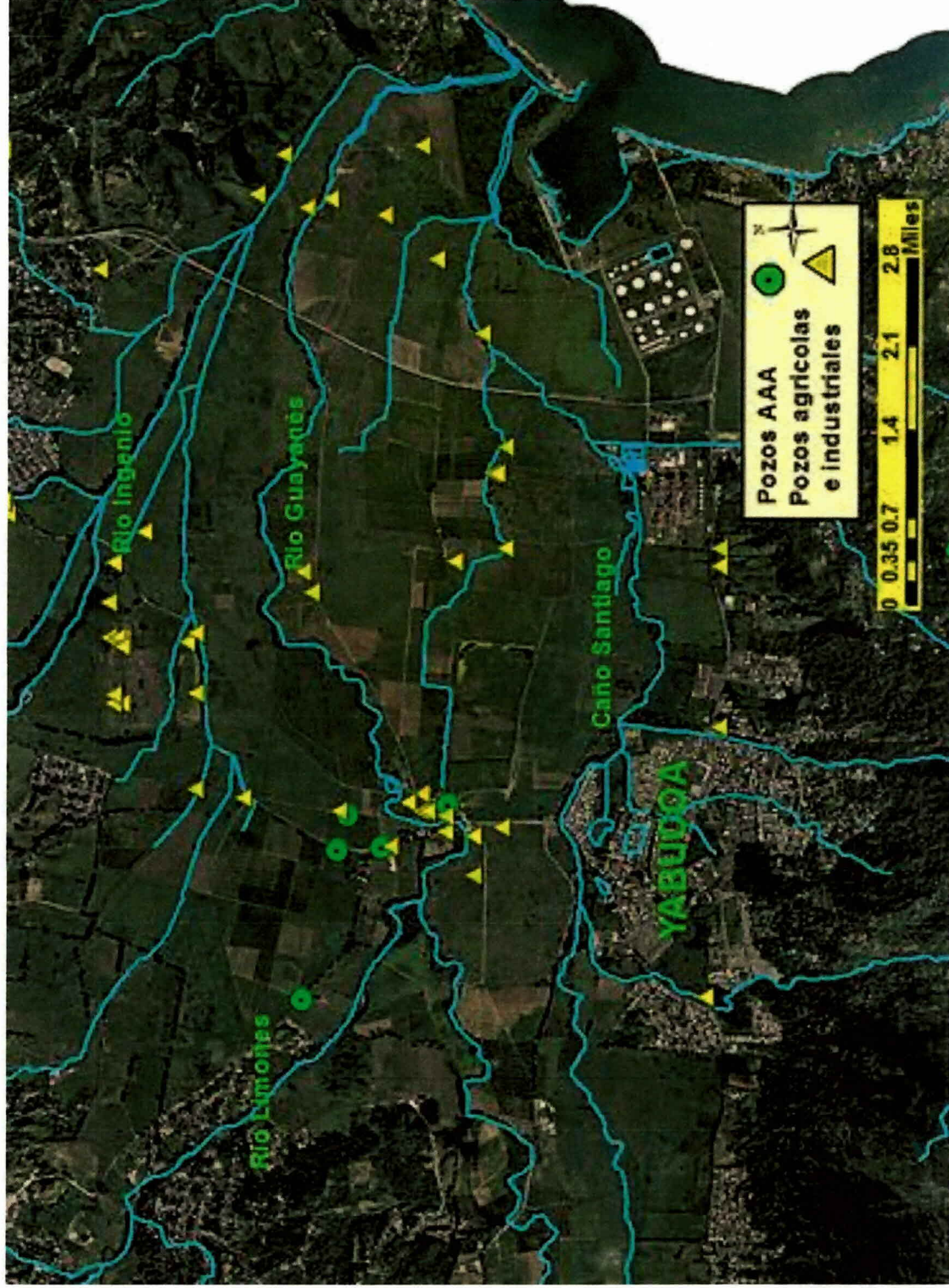
APPENDIX G
YABUCOA TRIBUTARY WATERWAY

YABUCOA TRIBUTARY WATERWAYS



APPENDIX H
YABUCOA PRASA & AGRICULTURAL
WELLS MAP

YABUCOA PRASA & AGRICULTURAL WELLS



APPENDIX I
MUNICIPAL MODEL ORDINANCE

xxva Legislatura Municipal

Sesión Ordinaria mes de cle 2019

Fecha Xde xxxxxx de 2019

ORDENANZA NUMERO xx SERIE xxx-xxxx

(PROYECTO DE ORDENANZA NUMERO xx SERIE xxxx-xxxx)

PARA ADOPTAR EL PLAN DE MANEJO DE AGUAS DE ESCORRENTÍAS DEL MUNICIPIO DE YABUCOA SEGÚN PRESENTADO ANTE LA AGENCIA FEDERAL PARA LA PROTECCIÓN AMBIENTAL (EPA) EN CUMPLIMIENTO CON LA LEY FEDERAL DE AGUAS LIMPIAS, "CLEAN WATER ACT" (CWA); Y PARA OTROS FINES.

POR CUANTO: La Ley Numero. 81 del 30 de agosto de 1991, según enmendada, conocida como "Ley de Municipios Autónomos del Estado Libre Asociado de Puerto Rico de 1991" en su artículo 5.05 faculta a los Municipios y sus Legislaturas Municipales a ordenar, reglamentar y resolver cuanto sea necesario o conveniente para beneficio de los municipios.

POR CUANTO: A esos fines, la "Ley de Municipios Autónomos del Estado Libre Asociado de Puerto Rico de 1991" faculta a los municipios en su artículo 13.013 a establecer, una Oficina de Ordenación Territorial, Oficina de Permisos, y Reglamentos Internos.

POR CUANTO: Mediante la Ordenanza número 16 de la Serie 2008-2009 del 28 de abril de 2009 se aprobó la nueva reestructuración y reorganización administrativa y operacional del Municipio de Yabucoa en donde se creó el nuevo Departamento de Planificación y Ordenamiento Territorial del Municipio de Yabucoa.

POR CUANTO: La Legislatura Municipal de Yabucoa es el cuerpo con funciones legislativas sobre los asuntos locales del Municipio de Yabucoa con la facultad para ejercer el poder legislativo y aprobar aquellas ordenanzas, resoluciones y reglamentos sobre asuntos y materias de la competencia municipal delegadas por la Ley de Municipios Autónomos del Estado Libre Asociado de Puerto Rico de 1991, Ley Número 81 del 30 de agosto de 1991, según enmendada.

POR CUANTO: La Ley Federal de Aguas Limpias (CLEAN WATER Act - CWA) 33 U.S.C. 1251 *et seq.*, les impone a los municipios la obligación de mantener un programa de manejo de las aguas de escorrentía pluvial con el objetivo de evitar la descarga de contaminantes a los cuerpos de agua y así proteger la calidad del agua, y la flora y la fauna que habita en los cuerpos de agua. Las disposiciones de la Ley Federal de Aguas Limpias son a su vez implantadas por la Agencia Federal de Protección Ambiental ("Environmental Protection Agency") a través de un permiso general ("General Permit") aprobado por periódicos de circulación variable.

POR CUANTO: Dicho estatuto federal aprobado en 1977, conocido como "CLEAN Water Act" (CWA 402), estableció la estructura básica para regular la eliminación de contaminantes a los cuerpos de agua; autorizó a la Agencia de Protección Ambiental ("Environmental Protection Agency" en adelante EPA) a implementar programas de control de contaminación en las industrias; mantuvo los requisitos existentes para establecer los estándares de calidad para todos los contaminantes de aguas superficiales; hizo ilegal el que cualquier individuo desechara cualquier contaminante en aguas navegables, a menos que se obtuviera un permiso para dichos fines; autorizó la construcción de plantas de tratamiento sanitario bajo el Programa de Subvenciones de Construcción, y reconoció la necesidad de planificación para manejar los problemas críticos que presentan los focos de contaminación no puntuales.

POR CUANTO: La EPA ha delegado muchas de estas facultades a los estados; sin embargo, retiene la autoridad de vigilar sus políticas. Bajo el programa del "Sistema Nacional de Eliminación de Descargas" (National Pollutant Discharge Elimination System - NPDES), la EPA concede a los municipios que operan sistemas pluviales separados en áreas urbanizadas (MS4), un permiso que controla la contaminación de las aguas regulando focos de contaminación puntual que descargan contaminantes directamente a los cuerpos de agua.

POR CUANTO: Este permiso regula tres diferentes tipos de fuentes:

Sistemas Municipales Separados de Alcantarillado Pluvial ("Municipal Separate Storm Sewer Systems" - MS4s) Actividades de construcción Actividades industriales

POR CUANTO: De acuerdo con dichas disposiciones legales federales, cada municipio deberá desarrollar una disposición reglamentaria dentro de su jurisdicción que regule el uso de su infraestructura pluvial, el tipo de descarga que se permite a través de las mismas y la imposición de multas a los infractores.

POR CUANTO: El *Plan de Manejo de Aguas de Escorrentías* que se adopte debe además facultar a los municipios a llevar las acciones legales que procedieren para eliminar las descargas de contaminantes existentes y el desarrollo de planes de trabajo que permitan la implantación de medidas efectivas en el control de contaminantes.

POR CUANTO: A los fines de cumplir con los requisitos establecidos por la EPA para el permiso correspondiente a un MS4 (Municipal Separate Storm Sewer System), de conformidad con el programa de NPDES, el Municipio de Yabucoa ha sometido ante la EPA un *Plan para el Manejo de aguas de Escorrentías* bajo el número de permiso PRR xxxxxxxx.

POR TANTO: El objetivo del *Plan de Manejo de Aguas de Escorrentías* es reducir la dispersión de contaminantes a la máxima superficie posible e identificar las actividades y las mejoras estructurales que minimicen la cantidad de estos contaminantes mejorando la calidad de las aguas de escorrentías.

SECCIÓN 1RA: El Plan de Manejo de Aguas de Escorrentía cuenta con seis criterios mínimos de control:

1. Educación y Alcance Comunitario
2. Participación Comunitaria
3. Identificación y Eliminación de Descargas Ilícitas.
4. Control de Aguas de Escorrentía en Actividades de Construcción.
5. Control de Escorrentías Post Construcción.
6. Prevención de Contaminación y Buenas Prácticas de Operaciones y Mantenimiento.

SECCIÓN 2DA: El Departamento de Planificación y Ordenamiento Territorial, mediante la Oficina de Asuntos Ambientales, son responsables de la implantación del Plan de Manejo de Aguas de Escorrentías del Municipio de Yabucoa y el desarrollo de regulación, programas y actividades que propendan al cumplimiento con los requerimientos de la EPA para todos los criterios de control. Corresponde a la Legislatura Municipal aprobar la adopción del Plan de Manejo de Aguas de Escorrentías del Municipio de Yabucoa.

ORDÉNESE POR LA LEGISLATURA MUNICIPAL DE YABUCOA, PUERTO RICO, LO SIGUIENTE:

Adoptar el Plan de Manejo de Aguas de Escorrentías del Municipio de Yabucoa según presentado ante la Agencia Federal para la Protección Ambiental (EPA) en cumplimiento con la Ley Federal de Aguas Limpias, "CLEAN Water Act" (CWA).

SECCIÓN 3RA El Departamento de Planificación y Ordenamiento Territorial, mediante la Oficina de Asuntos Ambientales, será responsables de la implantación del Plan de Manejo de Aguas de Escorrentías del Municipio de Yabucoa y el desarrollo de regulación, programas y actividades que propicien el cumplimiento con los requerimientos de la EPA para todos los criterios de control. Será responsabilidad del Departamento de Planificación Ordenamiento Territorial el someter a la Legislatura Municipal, dentro de los próximo ciento veinte (120) días los Proyectos de reglamentación necesaria para:

- 1) Prohibir y regular la práctica de arrojar contaminantes al Sistema Pluvial dentro de los límites del Municipio de Yabucoa;
- 2) Prohibir conexiones y descargas ilícitas con materiales contaminantes al Sistema Pluvial;
- 3) Establecer la autoridad legal para llevar a cabo todos los procedimientos de inspección, supervisión, monitoreo y querellas que sean necesarios para asegurar que se cumpla con lo dispuesto en esta Ordenanza;
- 4) Facultar a la imposición de multas por violaciones a las disposiciones de esta Ordenanza además de presentar las acciones legales que procedieren para evitar la descarga de contaminantes;
- 5) Establecer y coordinar los trabajos necesarios con las agencias concernientes para que en aquellos casos en

los cuales se identifique la presencia de conexiones ilegales de aguas usadas o de contaminantes al sistema pluvial y se pueda desarrollar un esfuerzo de trabajo ordenado y conjunto para desconectar dichas conexiones con la brevedad posible.

SECCIÓN 4TA. Establecer y coordinar los trabajos necesarios con las agencias concernientes para que en aquellos casos en los cuales se identifique la presencia de conexiones ilegales de aguas usadas o de contaminantes al sistema pluvial y se pueda desarrollar un esfuerzo de trabajo ordenado y conjunto para desconectar dichas conexiones con la brevedad posible

SECCIÓN 5TA. El Departamento de Planificación y Ordenamiento Territorial celebra someter, además, ante la Legislatura Municipal, dentro del mismo termino de ciento veinte (120) días, el Plan de Educación Comunitaria del Plan de Escorrentías.

SECCIÓN 6TA. Mediante la presente Ordenanza y el Plan de Manejo de Aguas de Escorrentías aquí adoptados se otorga a los funcionarios municipales a cargo de los procesos establecidos en esta Ordenanza aquellas facultades que sean inherentes y/o incidentales a las expuestas anteriormente de manera que puedan realizar sus tareas a cabalidad y se pueda alcanzar los objetivos y propósitos de esta Ordenanza.

SECCIÓN 7MA: Mediante la presente Ordenanza y el Plan de Manejo de Aguas de Escorrentías aquí adoptados se otorga a los funcionarios municipales a cargo de los procesos establecidos en esta Ordenanza aquellas facultades que sean inherentes y/o incidentales a las expuestas anteriormente de manera que puedan realizar sus tareas a cabalidad y se pueda alcanzar los objetivos y propósitos de esta Ordenanza.

SECCIÓN 8VA: La presente ordenanza estará disponible a toda persona libre de costos en la página de internet de la Legislatura Municipal de Yabucoa. De requerirse una copia certificada la misma estará disponible previo el pago los derechos establecidos mediante la " Ordenanza N\'.1111. 32, Serie 1990-1991", según enmendada o cualquier otra Ordenanza posterior adoptada a esos efectos.

Las disposiciones de esta Ordenanza son independientes y separadas más de otras por lo que si cualquier parte, párrafo, oración o sección de la misma, así como del Reglamento que mediante esta se adopta, fuese declarada inconstitucional, nula o invalida por un tribunal con jurisdicción y competencia, la determinación a tales efectos no afectara, menoscabara o invalidara las restantes disposiciones.

Toda ordenanza o resolución que entre en conflicto con la presente queda expresamente derogarla.

SECCIÓN 9NA: Copia de esta Ordenanza será remitida a la Oficina del Alcalde, al Departamento de Planificación y Ordenación Territorial del Municipio de Yabucoa y a la Agencia Federal para la Protección Ambiental (EPA).

SECCIÓN IOMA: Esta Ordenanza, así como el Plan de Manejo de Aguas de Escorrentías del Municipio de Yabucoa según presentado ante la Agencia Federal para la Protección Ambiental (EPA) en cumplimiento con la Ley Federal de Aguas Limpias, "C LEAN WATER ACT" (CWA), comenzara a regir inmediatamente una vez aprobada por la Legislatura Municipal y sea firmada por el señor Alcalde.

APPENDIX J
2010 CENSUS MAP

2010 CENSUS - CENSUS BLOCK MAP - Yabucoa Municipio, PR

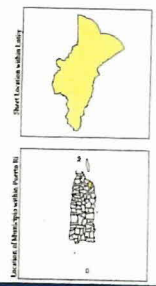
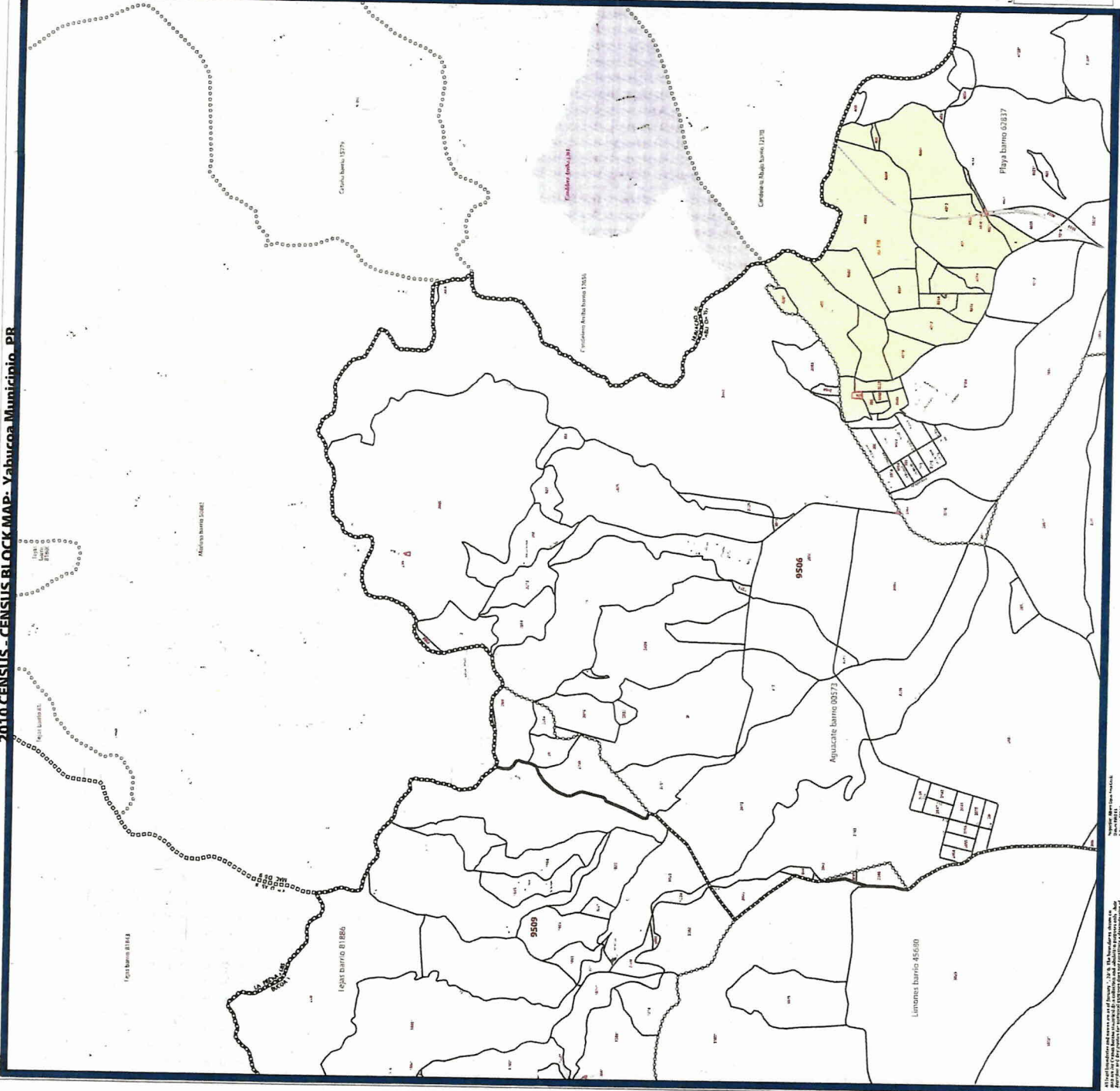
LEGEND

ADMINISTRATIVE:
 Municipality: Dotted line
 Water: Blue
 Road: Solid line
 Boundary (block, lot): Dashed line

LAND USE:
 Agricultural: Yellow
 Residential: Light Green
 Commercial: Dark Green
 Industrial: Orange
 Forest: Dark Green
 Pasture: Light Green
 Open Space: Yellow
 Water: Blue

POPULATION:
 5001: Yellow
 4001: Light Green
 3001: Dark Green
 2001: Orange
 1001: Light Blue
 0001: Dark Blue

Other symbols:
 School: Yellow square with 'S'
 Church: Red square with 'C'
 Cemetery: Green square with 'C'
 Public Building: Blue square with 'P'
 Health Center: Red square with 'H'
 Police Station: Yellow square with 'P'
 Fire Station: Red square with 'F'
 Gas Station: Yellow square with 'G'
 Bus Stop: Yellow square with 'B'
 Utility Pole: Yellow square with 'U'
 Telephone Pole: Yellow square with 'T'
 Street Light: Yellow square with 'L'
 Water Tower: Yellow square with 'W'
 Sewerage Treatment Plant: Yellow square with 'S'
 Landfill: Yellow square with 'L'
 Cemetery: Green square with 'C'
 School: Yellow square with 'S'
 Church: Red square with 'C'
 Public Building: Blue square with 'P'
 Health Center: Red square with 'H'
 Police Station: Yellow square with 'P'
 Fire Station: Red square with 'F'
 Gas Station: Yellow square with 'G'
 Bus Stop: Yellow square with 'B'
 Utility Pole: Yellow square with 'U'
 Telephone Pole: Yellow square with 'T'
 Street Light: Yellow square with 'L'
 Water Tower: Yellow square with 'W'
 Sewerage Treatment Plant: Yellow square with 'S'
 Landfill: Yellow square with 'L'



Yabucoa Municipio (151)
 151 Puerto Rico 2010

POPULATION

0	1	2	3	4	5
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Yabucoa Municipio (151)
 151 Puerto Rico 2010