



U.S. Department  
of Transportation  
Federal Highway  
Administration

Puerto Rico and  
U.S. Virgin Islands Division

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In Reply Refer To:  
HDA-PR

Mr. Miguel A. Torres Díaz  
Secretary  
Department of Transportation and Public Works  
PO Box 42007  
San Juan, PR 00940-2007

Subject: State Road PR-158 project from PR-743 to PR-1, Municipality of Cayey, PR

Dear Secretary Torres:

The Federal Highway Administration (FHWA), Puerto Rico and US Virgin Islands Division, has performed a process review of the environmental process of the subjected project.

The environmental phase of the project was approved on August 1, 2011 with a Finding of No Significant Impacts (FONSI). The FONSI was based on the Environmental Assessment (EA) dated February 2010.

Based on our review of the environmental document, field visit, and communications with your staff we have concluded that the FONSI, its supporting documentation, and related decisions need to be Reevaluated. The reason for reevaluating this FONSI is that the Environmental Assessment (February 2010) contains numerous major incongruences such as:

1. **EA Termini:** According to the EA, the project starts at PR-743 km. 0.8, crosses below PR-52 on km. 35.4 and ends on PR-1 km. 52.3. In subsequent analysis, utilizing the bridge #13 kilometer post of the National Bridge Inspection Standard (NBIS), and field visit, the correct termini on PR-1 was determined to be km. 53.1. The km. 52.3 is not even within the Municipality of Cayey.
2. **Project Length:** According to the EA, the project has a length of approximately 1,500 meters. According to the Right-of-Way (ROW) plans, the project starts at Station 0+99.56 (in PR-743) and ends at station 17+20.00 (in PR-1). The distance between the stations is 1,620.44 meters. Therefore, there is a difference between the EA and the plans of 120.44 meters (1620.44-1500=120.44).
3. **Communities Impacted:** According to the EA, the following communities are near the project: Estancias de Monte Rio, Brisas del Plata, Alturas de Beatriz. However, Estancias de Beatriz, which is the community directly impacted, is not identified in the EA.

4. **Relocation:** According to the EA, the project would occur mostly on undeveloped properties with no specific use, and would probably require the displacement of various structures, four of which are residencies. According to the ROW plans, more than four residencies would need to be acquired.
5. **Land Use:** The EA indicated that most lands in the project currently consist of rustic low scale or abandoned farms with no specific use defined as pasture-agricultural area, according to the Soils Use Map. However, the information is contradictory with the Zoning Map which indicates that at least one half of the project is located in residential area. The EA does not clearly show all the impacts.
6. **Educational Facilities:** The EA indicated that Beatriz School is near the project. On our field visit the facility does not exist. As a matter of fact, after interviewing a resident, who was raised in the area there has never been a school in the vicinity. Also, there are some inconsistencies in the maps included in the EA, e.g. in the Location Map and the Cultural Resources Map the school was shown on the north side of PR-1. In the other maps included in the EA, such as the Aerial Photography Map, Soils Use Map, Zoning Map, Soils Geological Map and Water Bodies Map, the school is shown on the south side of PR-1.
7. **Public Notice:** Puerto Rico Highways and Transportation Authority (PRHTA) did not hold public hearings or informational workshops. PRHTA published two announcements to notify the community that it was available to provide public hearings if the community requested them. The information included in the announcements was inaccurate information, as noted above, therefore the public could not identify if the project could affect them.
8. **Noise:** The noise analysis did not clearly identify the sensitive receptors. The traffic data used for the noise analysis is different from the traffic analysis. Also, the noise analysis resulted on a reduction of noise on sensitive receptors between the actual and future conditions which is contradictory as the area is agricultural and residential with just rural local roads and the project is proposing a 4-lane roadway.

In accordance with 23 CFR 771.105, it is FHWA's policy that:

- To the fullest extent possible, all environmental investigations, reviews, and consultations be coordinated as a single process, and compliance with all applicable environmental requirements be reflected in the environmental document required by this regulation.
- Alternative courses of action are evaluated and decisions be made in the best overall public interest based upon a balanced consideration of the need for safe and efficient transportation; of the social, economic, and environmental impacts of the proposed transportation improvement; and of national, state, and local environmental protection goals.

- Public involvement and a systematic interdisciplinary approach must be essential parts of the development process for proposed actions.
- Measures necessary to mitigate adverse impacts be incorporated into the action

Based on the findings of our process review, FHWA requests Puerto Rico Highway and Transportation Authority (PRHTA) to perform a Reevaluation before advancing the project forward to other phases.

The Reevaluation shall include all relevant areas. The Reevaluation should be developed in consultation with FHWA and include the project description, purpose and need, and the alternatives considered, including any new alternatives under consideration, which vary from the FONSI original decision, and the no-build. It should also include substantiation of all prior environmental findings and the inclusion of sections within the reevaluation for "Comments and Coordination", and "Commitments and Recommendations". Preliminary plans showing the recommended alignment and needed ROW shall be included. The FHWA requests PRHTA to include in the reevaluation process a public involvement program, including, but not limited to, a public hearing.

The Interstate Access Request (IAR) approved on September 11, 2012 was based on the original FONSI dated on August 1, 2011. Consequently, the IAR needs to be revised following Eight IAR Policy Requirements.

If you have any questions, please contact Mr. Michael Avery, Associate Division Administrator at the phone number (787)771-2510.

Sincerely,




James Christian, P.E.  
Division Administrator

cc: Carmen A. Villar Prados, Executive Director, PRHTA  
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