



U.S. Department  
of Transportation  
Federal Highway  
Administration

Puerto Rico and  
U.S. Virgin Islands Division

November 9, 2015

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San Juan, P.R. 00918-2161  
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<http://www.fhwa.dot.gov/prdiv/>

In Reply Refer To:  
HDA-PR

Ms. Carmen A. Villar Prados  
Puerto Rico Highway and Transportation Authority  
Post Office Box 42007  
San Juan, PR 00940-2007

**Subject: Reevaluation of Finding of No Significant Impact (FONSI) for Construction of State Road PR-158 from PR-743 to PR-1, Municipality of Cayey**

Dear Ms. Villar Prados:

The purpose of this letter is to inform you of our decision to withdraw approval of the Environmental Assessment (EA), "Finding of No Significant Impact" (FONSI) and Interstate Access Request for this project.

The Federal Highway Administration (FHWA) approved an Environmental Assessment (EA) for the PR-158 from PR-743 to PR-1 project located in the Municipality of Cayey on May 11, 2010. FHWA also approved a Finding of No Significant Impact (FONSI) for the project on August 1, 2011, and an Interstate Access Request on September 11, 2012.

FHWA recently received information that led us to reevaluate the EA, FONSI and Interstate Access Request approvals. The FHWA has been informed and it was confirmed by your office on September 23, 2015 that the Environmental Assessment for this project was prepared by consultants contracted and managed by a private institution. We were also informed that the Puerto Rico Department of Transportation and Public Works (DTPW), the Highway and Transportation Authority (PRHTA) and this private institution signed an agreement for the development of this project. A copy of the agreement is attached.


The 23 CFR 771.109(c)(1) states that "The lead agencies are responsible for managing the environmental review process and the preparation of the appropriate environmental review documents." Based on this, FHWA has concluded that the data and analysis on which the PR-158 project FONSI decision was prepared was not in compliance with FHWA National Environmental Policy Act (NEPA) regulations and the Council on Environmental Quality regulations related to the preparation of environmental documents to satisfy NEPA. We therefore rescind FHWA approvals of the FONSI and EA for this project, and the interstate access request related to this project.

Please note that this letter supersedes our letter dated 24 June 2015.

If you have any questions, please contact Mr. Eddie Rivera, Engineering Team Leader at 787-766-5600 ext. 2511.

Sincerely,



 James Christian  
Division Administrator

Cc: Luis Vélez, Special Assistant to the Executive Director, PRHTA  
Zulma Marín Cordero, PRHTA/FHWA Federal Liaison Office  
Javier Arroyo Rosario, Acting Director of the Programming & Special Studies Area,  
PRHTA

Attachment: Agreement