

**GOVERNMENT OF PUERTO RICO
PUERTO RICO PUBLIC SERVICE REGULATORY BOARD
PUERTO RICO ENERGY BUREAU**

NEPR

Received:

Jun 4, 2024

5:00 PM

IN RE:

IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S 10-
YEAR INFRASTRUCTURE PLAN-
DECEMBER 2020

CASE NO. NEPR-MI-2021-0002

SUBJECT: Motion Submitting Three FEMA Approvals of Projects, Request for Confidential Treatment, and Supporting Memorandum of Law

**MOTION SUBMITTING THREE FEMA APPROVALS OF PROJECTS,
REQUEST FOR CONFIDENTIAL TREATMENT AND
SUPPORTING MEMORANDUM OF LAW**

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC¹, and LUMA Energy ServCo, LLC², (jointly referred to as "LUMA"), through the undersigned legal counsel and, respectfully submits the following:

I. Submittal of Three FEMA Approvals and Request for Confidentiality

1. On March 26, 2021, this Honorable Puerto Rico Energy Bureau ("Energy Bureau") issued a Resolution and Order in the instant proceeding, ordering, in pertinent part, that the Puerto Rico Electric Power Authority ("PREPA") submit to the Energy Bureau the specific transmission and distribution projects ("T&D Projects" or "Projects") to be funded with Federal Emergency Management Agency ("FEMA") funds or any other federal funds at least thirty (30) calendar days prior to submitting these Projects to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency ("COR3"), FEMA or any other federal agency ("March 26th Order"). It also directed PREPA to continue reporting to the Energy Bureau and FEMA, within the next five years,

¹ Register No. 439372.

² Register No. 439373.

the progress of all ongoing efforts related to the approval of the submitted Projects not yet approved by the Energy Bureau. The Energy Bureau thereafter determined that this directive should be applied to PREPA and LUMA. *See* Resolution and Order of August 20, 2021.

2. On August 30, 2021, LUMA filed a *Motion Requesting Clarification of a Portion of the Energy Bureau’s Resolution and Order Entered on August 20, 2021, and Submitting Updated List of Transmission and Distribution Projects and Twenty-Nine Scope of Work* (“August 30th Motion”). In the August 30th Motion, LUMA submitted twenty-nine (29) SOWs for T&D Projects for the Energy Bureau’s review and approval prior to submitting them to COR3 and FEMA. The SOWs submitted by LUMA included the “FAASt [Barranquitas Streetlighting] (Distribution),” “FAASt [Jayuya Streetlighting] (Distribution),”³ and “FAASt [Pole and Conductor Repair - San Juan Group 2 - Phase 2] (Distribution)” T&D Projects.⁴

3. On September 22, 2021, the Energy Bureau issued a Resolution and Order that determined that most of the SOWs for T&D projects submitted by LUMA were necessary to improve the system’s reliability (“September 22nd Order”). Therefore, it approved most of the projects presented in the August 30th Motion, including the “FAASt [Barranquitas Streetlighting] (Distribution),” “FAASt [Jayuya Streetlighting] (Distribution),” and “FAASt [Pole and Conductor Repair - San Juan Group 2 - Phase 2] (Distribution)” T&D Projects SOWs. The Energy Bureau also ordered LUMA to submit a copy of the approval by COR3 and/or FEMA of the Project, which shall contain the costs obligated for each project within ten (10) days of receiving such approval.

³ The “FAASt [Barranquitas Streetlighting] (Distribution),” and “FAASt [Jayuya Streetlighting] (Distribution),” T&D Projects were submitted initially to the Energy Bureau as the “Distribution Streetlighting,” but were later divided into individual projects per municipality.

⁴ The “FAASt [Pole and Conductor Repair - San Juan Group 2 - Phase 2] (Distribution)” T&D Project was submitted initially to the Energy Bureau as the “Distribution Pole & Conductor Replacement,” but was later divided into individual projects per municipality.

4. In compliance with the September 22nd Order, LUMA hereby submits copies of the approvals by FEMA issued on May 30, 2024, of the aforementioned T&D Projects.⁵ *See Exhibit 1*⁶ to this Motion. The document contains FEMA’s approvals and includes the costs obligated for each Project.

5. LUMA is submitting herein a redacted public version of the FEMA approvals (**Exhibit 1**) protecting confidential information associated with Critical Energy Infrastructure Information (“CEII”). As explained in this Motion, portions of the FEMA approvals of the T&D Projects are protected from disclosure as CEII, *see, e.g.*, 6 U.S.C. §§ 671-674; 18 C.F.R. § 388.113 (2020), and pursuant to the Energy Bureau’s Policy on Management of Confidential Information. *See* Energy Bureau’s Policy on Management of Confidential Information, CEPR-MI-2016-0009, issued on August 31, 2016, as amended by Resolution dated September 20, 2016.

II. Memorandum of Law in Support of Request for Confidentiality

A. Applicable Laws and Regulations to Submit Information Confidentially Before the Energy Bureau

6. The bedrock provision on the management of confidential information filed before this Energy Bureau, is Section 6.15 of Act 57-2014, known as the “Puerto Rico Energy Transformation and Relief Act.” It provides, in pertinent part, that: “[i]f any person who is required to submit information to the [Energy Bureau] believes that the information to be submitted has any confidentiality privilege, such person may request the [Energy Bureau] to treat such information as such [...]” 22 LPRA § 1054n. If the Energy Bureau determines, after appropriate evaluation,

⁵ It is important to note that LUMA acquires knowledge of any FEMA approval for a T&D Project once FEMA makes the information available via its grant portal.

⁶ Please note that **Exhibit 1** has digitalization and table format issues found on the documents as issued by FEMA.

that the information should be protected, “it shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted.” *Id.* § 1054n(a).

7. Access to confidential information shall be provided “only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement.” *Id.* § 1054n(b). Finally, Act 57-2014 provides that this Energy Bureau “shall keep the documents submitted for its consideration out of public reach only in exceptional cases. In these cases, the information shall be duly safeguarded and delivered exclusively to the personnel of the [Energy Bureau] who needs to know such information under nondisclosure agreements. However, the [Energy Bureau] shall direct that a non-confidential copy be furnished for public review.” *Id.* § 1054n(c).

8. Relatedly, in connection with the duties of electric power service companies, Section 1.10 (i) of Act 17-2019 provides that electric power service companies shall provide the information requested by customers, except for confidential information in accordance with the Rules of Evidence of Puerto Rico.

9. Moreover, the Energy Bureau’s Policy on Management of Confidential Information details the procedures that a party should follow to request that a document or portion thereof be afforded confidential treatment. In essence, the referenced Policy requires identifying confidential information and filing a memorandum of law explaining the legal basis and support for a request to file information confidentially. *See* CEPR-MI-2016-0009, Section A, as amended by the Resolution of September 20, 2016, CEPR-MI-2016-0009. The memorandum should also include a table that identifies the confidential information, a summary of the legal basis for the confidential

designation, and why each claim or designation conforms to the applicable legal basis of confidentiality. *Id.* at ¶ 3. The party who seeks confidential treatment of information filed with the Energy Bureau must also file both a “redacted” or “public version” and an “unredacted” or “confidential” version of the document that contains confidential information. *Id.* at ¶ 6.

10. The Energy Bureau’s Policy on Management of Confidential Information states the following with regard to access to validated CEII:

Critical Energy Infrastructure Information (“CEII”)

The information designated by the [Energy Bureau] as Validated Confidential Information on the grounds of being CEII may be accessed by the parties’ authorized representatives only after they have executed and delivered the Nondisclosure Agreement.

Those authorized representatives who have signed the Non-Disclosure Agreement may only review the documents validated as CEII at the [Energy Bureau] or the Producing Party’s offices. During the review, the authorized representatives may not copy or disseminate the reviewed information and may bring no recording device to the viewing room.

Id. at § D (on Access to Validated Confidential Information).

11. Regulation No. 8543, *Regulation on Adjudicative, Notice of Noncompliance, Rate Review, and Investigation Proceedings*, also includes a provision for filing confidential information in proceedings before this Energy Bureau. To wit, Section 1.15 provides that “a person has the duty to disclose information to the [Energy Bureau] considered to be privileged pursuant to the Rules of Evidence, said person shall identify the allegedly privileged information, request the [Energy Bureau] the protection of said information, and provide supportive arguments, in writing, for a claim of information of privileged nature. The [Energy Bureau] shall evaluate the petition and, if it understands [that] the material merits protection, proceed according to [...]

Article 6.15 of Act No. 57-2015, as amended.” *See also* Energy Bureau Regulation No. 9137 on *Performance Incentive Mechanisms*, § 1.13 (addressing disclosure before the Energy Bureau of Confidential Information and directing compliance with Resolution CEPR-MI-2016-0009).

B. Request for Confidentiality

12. The FEMA approvals included in **Exhibit 1** contain portions of CEII that, under relevant federal law and regulations, are protected from public disclosure. LUMA stresses that the FEMA approvals with CEII warrant confidential treatment to protect critical infrastructure from threats that could undermine the system and negatively affect electric power services to the detriment of the interests of the public, customers, and citizens of Puerto Rico. In several proceedings, this Energy Bureau has considered and granted requests by PREPA to submit CEII under seal of confidentiality.⁷ In at least two Data Security and Physical Security proceedings,⁸ this Energy Bureau, *motu proprio*, has conducted proceedings confidentially, thereby recognizing the need to protect CEII from public disclosure.

13. Additionally, this Energy Bureau has granted requests by LUMA to protect CEII in connection with LUMA’s System Operation Principles. *See* Resolution and Order of May 3, 2021, table 2 on page 4, Case No. NEPR-MI-2021-0001 (granting protection to CEII included in

⁷ *See e.g., In re Review of LUMA’s System Operation Principles*, NEPR-MI-2021-0001 (Resolution and Order of May 3, 2021); *In re Review of the Puerto Rico Power Authority’s System Remediation Plan*, NEPR-MI-2020-0019 (order of April 23, 2021); *In re Review of LUMA’s Initial Budgets*, NEPR-MI-2021-0004 (order of April 21, 2021); *In re Implementation of Puerto Rico Electric Power Authority Integrated Resource Plan and Modified Action Plan*, NEPR MI 2020-0012 (Resolution of January 7, 2021, granting partial confidential designation of information submitted by PREPA as CEII); *In re Optimization Proceeding of Minigrad Transmission and Distribution Investments*, NEPR-MI 2020-0016 (where PREPA filed documents under seal of confidentiality invoking, among others, that a filing included confidential information and CEII); *In re Review of the Puerto Rico Electric Power Authority Integrated Resource Plan*, CEPR-AP-2018-0001 (Resolution and Order of July 3, 2019 granting confidential designated and request made by PREPA that included trade secrets and CEII. However, *see* Resolution and Order of February 12, 2021, reversing in part, grant of confidential designation).

⁸ *In re Review of the Puerto Rico Electric Power Authority Physical Security Plan*, NEPR-MI-2020-0018.

LUMA's Responses to Requests for Information). Similarly, in the proceedings on LUMA's proposed Initial Budgets and System Remediation Plan, this Energy Bureau granted confidential designation to several portions of LUMA's Initial Budgets and Responses to Requests for Information. *See* Resolution and Order of April 22, 2021, on Initial Budgets, Table 2 on pages 3-4, and Resolution and Order of April 22, 2021, on Responses to Requests for Information, table 2 on pages 8-10, Case No. NEPR-MI-2021-0004; Resolution and Order of April 23, 2021, on Confidential Designation of Portions of LUMA's System Remediation Plan, table 2 on page 5, and Resolution and Order of May 6, 2021, on Confidential Designation of Portions of LUMA's Responses to Requests for Information on System Remediation Plan, table 2 at pages 7-9, Case No. NEPR-MI-2020-0019.

14. Similarly, the Energy Bureau has granted LUMA's requests for confidential treatment of portions of the FEMA approvals submitted for approval in the present case. Notably, the Energy Bureau has granted LUMA's request for confidential treatment of portions of FEMA Approvals of Projects submitted for consideration and authorization. Furthermore, this Energy Bureau designated portions of submitted FEMA Approvals of Projects as confidential CEII in its Resolution and Order of March 20, 2023; *see* Table 1 on pages 1-2.

15. As mentioned above, the Energy Bureau's Policy on Management of Confidential Information provides for the management of CEII. It directs that the parties' authorized representatives access information validated as CEII only after executing and delivering a Non-Disclosure Agreement.

16. CEII or critical infrastructure information is generally exempted from public disclosure because it involves assets and information that pose public security, economic, health, and safety risks. Federal Regulations on CEII, particularly, 18 C.F.R. § 388.113, state that:

Critical energy infrastructure information means specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that:

- (i) Relates details about the production, generation, transportation, transmission, or distribution of energy;
- (ii) Could be useful to a person in planning an attack on critical infrastructure;
- (iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552; and
- (iv) Does not simply give the general location of the critical infrastructure.

Id.

17. Additionally, “[c]ritical electric infrastructure means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters. *Id.* Finally, “[c]ritical infrastructure means existing and proposed systems and assets, whether physical or virtual, the incapacity or destruction of which would negatively affect security, economic security, public health or safety, or any combination of those matters.” *Id.*

18. The Critical Infrastructure Information Act of 2002, 6 U.S.C. §§ 671-674 (2020), part of the Homeland Security Act of 2002, protects critical infrastructure information (“CII”).⁹

⁹ Regarding protection of voluntary disclosures of critical infrastructure information, 6 U.S.C. § 673, provides in pertinent part, that CII:

- (A) shall be exempt from disclosure under the Freedom of Information Act;
- (B) shall not be subject to any agency rules or judicial doctrine regarding ex parte communications with a decision-making official;
- (C) shall not, without the written consent of the person or entity submitting such information, be used directly by such agency, any other Federal, State, or local authority, or any third party, in any civil action arising under Federal or State law if such information is submitted in good faith;

CII is defined as “information not customarily in the public domain and related to the security of critical infrastructure or protected systems [...]” 6 U.S.C. § 671 (3).¹⁰

19. Portions of the FEMA approvals in **Exhibit 1** qualify as CEII because each of these documents contains the express coordinates and physical addresses to power transmission and distribution facilities (18 C.F.R. § 388.113(iv)), and these specific coordinates and addresses could

-
- (D) shall not, without the written consent of the person or entity submitting such information, be used or disclosed by any officer or employee of the United States for purposes other than the purposes of this part, except—
 - (i) in furtherance of an investigation or the prosecution of a criminal act; or
 - (ii) when disclosure of the information would be--
 - (I) to either House of Congress, or to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee thereof or subcommittee of any such joint committee; or
 - (II) to the Comptroller General, or any authorized representative of the Comptroller General, in the course of the performance of the duties of the Government Accountability Office
 - (E) shall not, be provided to a State or local government or government agency; of information or records;
 - (i) be made available pursuant to any State or local law requiring disclosure of information or records;
 - (ii) otherwise be disclosed or distributed to any party by said State or local government or government agency without the written consent of the person or entity submitting such information; or
 - (iii) be used other than for the purpose of protecting critical Infrastructure or protected systems, or in furtherance of an investigation or the prosecution of a criminal act.
 - (F) does not constitute a waiver of any applicable privilege or protection provided under law, such as trade secret protection.

¹⁰ CII includes the following types of information:

- (A) actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or other similar conduct (including the misuse of or unauthorized access to all types of communications and data transmission systems) that violates Federal, State, or local law, harms interstate commerce of the United States, or threatens public health or safety;
- (B) the ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or a protected system, including security testing, risk evaluation thereto, risk management planning, or risk audit; or
- (C) any planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair, recovery, construction, insurance, or continuity, to the extent it is related to such interference, compromise, or incapacitation.

potentially be helpful to a person planning an attack on the energy facilities listed as part of this FEMA approval. The information identified as confidential in this paragraph is not common knowledge and is not made publicly available. Therefore, it is respectfully submitted that, on balance, the public interest in protecting CEII weighs in favor of protecting the relevant portions of the FEMA approvals with CEII in **Exhibit 1** from disclosure, given the nature and scope of the details included in those portions of the Exhibit.

20. Based on the above, LUMA respectfully submits that portions of the FEMA approvals should be designated as CEII. This designation is a reasonable and necessary measure to protect the specific location of the energy facilities listed or discussed in the FEMA approvals in **Exhibit 1**. Given the importance of ensuring the safe and efficient operation of the generation assets and the T&D System, LUMA respectfully submits that these materials constitute CEII that should be maintained confidentially to safeguard their integrity and protect them from external threats.

C. Identification of Confidential Information

21. In compliance with the Energy Bureau's Policy on Management of Confidential Information (CEPR-MI-2016-0009) below, find a table summarizing the portions of the FEMA approvals for which we present this request for confidential treatment.

Document	Name	Pages in which Confidential Information is Found, if applicable	Summary of Legal Basis for Confidentiality Protection, if applicable	Date Filed
Exhibit 1	FAASt [Barranquitas Streetlighting] (Distribution)	Pages 1, 3, 5, and 11	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674.	June 4, 2024
Exhibit 1	FAASt [Jayuya Streetlighting] (Distribution)	Pages 1, 6, and 12	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674.	June 4, 2024
Exhibit 1	FAASt [Pole and Conductor Repair - San Juan Group 2 - Phase 2] (Distribution)	Pages 1, 2, 6, and 12	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674.	June 4, 2024

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **accept** the copies of the FEMA approvals attached herein as **Exhibit 1**; and **grant** the request for confidential treatment of **Exhibit 1**.

RESPECTFULLY SUBMITTED.

We hereby certify that we filed this motion using the electronic filing system of this Energy Bureau. We will send an electronic copy of this motion to counsel for PREPA Alexis Rivera,

arivera@gmlex.net, and to Genera PR LLC, through its counsel of record, Jorge Fernández-Reboredo, jfr@sbgblaw.com and Alejandro López Rodríguez, alopez@sbgblaw.com.

In San Juan, Puerto Rico, on this 4th day of June 2024.



DLA Piper (Puerto Rico) LLC
500 Calle de la Tanca, Suite 401
San Juan, PR 00901-1969
Tel. 787-945-9132
Fax 939-697-6102

/s/ Yahaira De la Rosa Algarín
Yahaira De la Rosa Algarín
RUA NÚM. 18,061
yahaira.delarosa@us.dlapiper.com

/s/ Julián R. Anglada Pagán
Julián R. Anglada Pagán
RUA NÚM. 22,142
julian.angladapagan@us.dlapiper.com

Exhibit 1

Three (3) FEMA Approvals

Department of Homeland Security Federal Emergency Management Agency

General Info

Project #	704921	P/W #	11675	Project Type	Specialized
Project Category	F - Utilities	Applicant	PR Electric Power Authority (000-UA2QU-00)		
Project Title	FAASt [Barranquitas Streetlighting] (Distribution)		Event	4339DR-PR (4339DR)	
Project Size	Large	Declaration Date	9/20/2017		
Activity	9/20/2027	Incident Start Date	9/17/2017		
Completion Date		Incident End Date	11/15/2017		
Process Step	Obligated				

Damage Description and Dimensions

The Disaster # 4339DR, which occurred between *09/17/2017* and *11/15/2017*, caused:

Damage #1296966; FAASt [Distribution Streetlighting - Barranquitas]

DDD for this facility codified in the 136271 - MEPA078 Puerto Rico Electrical Power Authority Island Wide FAASt Project.

General Facility Information:

- **Facility Type:** Power generation, transmission, and distribution facilities
- **Facility:** Barranquitas Distribution Streetlighting
- **Facility Description:** The Barranquitas municipality has a total of 2829 luminaires of which damage was estimated for 70% of these luminaires. Additional descriptions of typical components of a streetlight system are described below:
 - Pole – This can be either a standalone structure intended to house a streetlight, or a utility pole shared with other overhead utilities
 - Arm – A piece of hardware affixed to a pole to which a luminaire is mounted. The arm serves to position the streetlight over the street for optimal lighting
 - Luminaire/Light Bulb – The light emitting part of a streetlight
 - Light controller (e.g., photocell) – A hardware device affixed to the luminaire which controls the operating mode
 - Communication network – A wired or wireless system that allows the smart streetlight to communicate with other devices and the control system
 - Technology control system – A software platform that allows a remote operator to set the operating parameters for the smart streetlight or manually override the parameter if needed.
- **Approx. Year Built:** 1970
- **GPS Latitude/Longitude:** [REDACTED]

General Damage Information:

- **Date Damaged:** 9/20/2017
- **Cause of Damage:** High winds & wind driven rain, caused by Cat 4 Hurricane Maria

Final Scope

1296966 **FAASt [Distribution Streetlighting - Barranquitas]**

Introduction

The purpose of this document is to submit for approval the Detailed Scope of Work (SOW) to COR3 and FEMA for the Distribution Streetlighting Barranquitas project (Barranquitas municipality) under DR-4339- PR Public Assistance. The document provides a description of the project including scope, schedule, and cost estimates as well as Environmental & Historical Preservation ("EHP") requirements and proposed 406 hazard mitigation work. LUMA Energy is seeking approval from COR3 and FEMA for project funding to repair, replace, and upgrade the eligible facilities in the municipality of Barranquitas.

LUMA submits this Detailed SOW pursuant to the T&D O&M Agreement between Puerto Rico, Puerto Rico Electric Power Authority ("PREPA"), the Puerto Rico Public-Private Partnerships Authority ("P3A") and LUMA Energy, and in accordance with the Consent to Federal Funding Letter issued by PREPA and P3A and provided herein as Appendix E which collectively provides the necessary consent for LUMA Energy, as agent of PREPA, to undertake work in connection with any Federal Funding requests related to the T&D System submitted to FEMA.

Facilities

This project is part of the breakdown division for the Distribution Streetlighting Program which will be impacting each of the municipalities. Characteristics were previously defined to serve the municipality of Barranquitas according to the priorities and findings after conducting the assessments.

Physical Address	Barranquitas, Puerto Rico
Coordinates	Please refer to Appendix F for Coordinates

Project Scope of Work Streetlight Repairs:

Proposed 428 Public Assistance Scope of Work:

Lighting Components Replacement

- Remove existing lighting components, including photo controls, luminaires, arms, and associated hardware, and install new lighting components in the same location. No ground disturbance will be required as part of this scope of work.
- Brushing will be required in locations as identified in Appendix K ("Brushing/Clearing Req'd" column) to enable construction. Brushing refers to the removal and clearing of vegetation solely to the extent that it allows crews to conduct work. The brushing of vegetation will be limited to a 10 ft radius surrounding the surface of the pole but not to exceed the width of the right-of-way for the exclusive purpose of gaining access to the pole to conduct repairs. No tree removal will be completed as part of this scope.
- All work for this program will be performed within the current electrical right-of-way for each of the municipalities.

Pole Replacement

- Remove existing streetlight poles, including lighting components and install new streetlight poles, including lighting components, in the same location. If unable to install the replacement in the same location, the pole will be installed within 3 feet. All pole installations are to replace existing poles locations; no new locations are included in this scope of work. Refer to Appendix K column D (Soil area and depth impact) for the depths of the poles to be installed.
- Remove the existing foundations as specified in Appendix G- Cost Estimate and replace them with a new concrete foundation in the same location. Refer to Appendix J for design criteria.¹
- Brushing will be required in locations as identified in Appendix K ("Brushing/Clearing Req'd" column) to enable construction. Brushing refers to the removal and clearing of vegetation solely to the extent that it allows crews to conduct work. The brushing of vegetation will be limited to a 10 ft radius surrounding the surface of the pole but not to exceed the width of the right-of-way for the exclusive purpose of gaining

access to the pole to conduct repairs. No tree removal will be completed as part of this scope.

- Poles are in close proximity to the roads and are site accessible. The construction of access roads is not required for this scope of work. (Refer to Appendix K in "Site Accessible" column)
 - All work for this program will be performed within the current electrical right-of-way for each of the municipalities.
 - Coordinates for streetlight poles where ground disturbance is anticipated can be found in Appendix G² and Appendix K³.
- This scope of work will not affect water or sewer utility services.

Trenching/Underground (Replacing Underground Circuit)

- Remove existing trenching and install new trenching within our existing 5' electrical Right of Way as specified in Appendix K. The trench's dimensions are described by LUMA Trench Standard STL-16 (Appendix I), which states that the typical trench width is 1 foot, and the typical trench depth is 3.5 feet. For this project, the typical trench was defined to have an average length of 100 feet and follow a straight line between the streetlight pole and its power connection. This activity does not require any vegetation clearance and/or access clearance.
 - Coordinates for streetlight poles where ground disturbance is anticipated can be found in Appendix G² and Appendix K³.
- This scope of work will not affect water or sewer utility services.

Material Disposal

- Photocells are considered hazardous waste and will be disposed of by the contractor in approved facilities in compliance with applicable federal and local laws and regulations. Material amounts will be provided by a certified management contractor performing a site evaluation calculation for asbestos, lead paint, roof material.
- No transformer will be removed or disposed of during the Program.
- The type of debris that may be found in the process of removal are luminaires, pole arms, photocells, metal scrap, wiring, concrete, steel, and wood poles, etc. The debris will be separated and taken to an approved waste disposal facility in compliance with applicable federal and local laws and regulations.

Staging Area

- All materials are stored and dispatched from the assigned LUMA's Regional Warehouse. The warehouse assigned is the Caguas Warehouse, [REDACTED]. Refer to Appendix M for Warehouse location.

Specific List of Permits Required:

- DTOP Endorsements & Municipality Notifications.
- Excavation and Demolition Notification in Department of Transportation and Public Works Agency - (DTOP).
- LUMA will provide proof of all permits as a Condition of FEMA Record of Environmental Considerations.

Fill, gravel, sand, etc.:

- Fill, Gravel, and Sand materials will be obtained from an approved supplier as referenced in Appendix A Preferred Vendors list.

List of Equipment to be used:

- Skid Steer, Excavator, Dump trucks, Manlifts, 120-Ton Motor Crane, Boom Trucks 45-ton Crane, Zoom Boom, Air compressor, Truck Digger, Water truck, Pump Truck, Concrete Vibrator, Oil Tanker, Filtering Machine and Flatbed platform.

Project Estimate

The estimated costs (Class 3 Accuracy +/-30%) to complete the project are captured in the below table. The cost estimate was developed utilizing preliminary Architectural and Engineering design information and may be subject to change. LUMA has identified risks and allowances (10% of project cost) for the mitigation of potential known risks.

Project Cost Estimate	428 Estimate
Planning, Permits and Applications	\$109,901.51
Environmental Management	\$612,066.71
Project Management	\$401,824.31
Engineering	\$924,291.77
Construction	\$8,679,405.04
Contingency	\$750,924.18
TOTAL PROJECT COST ESTIMATE	\$11,478,412.53
428 FAASt Project 704921	\$9,430,329.22
FAASt Project A&E 335168	\$2,048,083.31

Work To Be Completed (WTBC): \$11,478,412.53

A&E Deduction (Global A&E FAASt 335168) -\$2,048,083.31

Project Total Cost: \$9,430,329.22

For detailed cost estimate, please refer to document labeled: 704921-DR4339PR-Appendix G - Cost Estimate Barranquitas Municipality.xlsx

Project Notes

1. Refer to detailed SOW provided in document 704921-DR4339PR-Detailed SOW Barranquitas - DSOW - signed.pdf
2. For reference documents Appendix A thru L, see file labeled:

Appendix A – Preferred Vendor List Directory PR

Appendix B – Barranquitas Work Zones Map

Appendix C – LUMA Waste Management Plan

Appendix D – LUMA Wildlife Avian and Historical Protection Procedure #335

Appendix E – Consent to Federal Funding Letter- FEMA/COR3

Appendix F – Barranquitas Work Zones FIDs SIDs and Coordinates

Appendix G – Cost Estimate Barranquitas Municipality

Appendix H – Intentionally Left In Blank

Appendix I – LUMA Streetlighting Construction Standards

Appendix J – LUMA Distribution Design Manual

Appendix K – EHP Checklist Barranquitas

Appendix L – EHP Maps Barranquitas

Appendix M – Warehouse Locations

3. For EHP Requirements, refer to pages 6 to 7 of the detailed SOW and reference documents: Appendix J & K.
4. Architectural and Engineering (A&E) costs are deducted given previously obligated Global A&E Project for the subject FAASt PREPA work (see project: 335168 - FAASt A&E PREPA).
5. This project is part of 136271-MEPA078 Puerto Rico Electrical Power Authority Island Wide FAASt Project.
6. All streetlight trench rebuilds will be performed in the same location and with the same dimensions as the existing damaged one.
7. No new trenches are considered under the project.
8. The trenches are described by LUMA Trench Standard STL-16 (attached in the project), which states that the typical trench width is 1 foot, and the typical trench depth is 3.5 feet. For this project, the typical trench was defined to have an average length of 100 feet and following a straight line between the streetlight poles.

406 HMP Scope

Project number: 704921; FAASt Barranquitas Streetlight (Distribution)

Damage # 1296966; FAASt Barranquitas Streetlight (Distribution)

Applicant: PR Electric Power Authority (000-UA2QU-00)

<p>Location: Barranquitas, Puerto Rico</p> <p>GPS Latitude/Longitude: [REDACTED]</p>

Hazard Mitigation Narrative

During the incident period from September 17, 2017, to November 15, 2017, the Commonwealth of Puerto Rico experienced hurricane-force winds, heavy rain, flooding and power outage from Hurricane Maria. The incident caused damage to the electrical system, such as the power generation plants, transmission and distribution lines, substations, communication systems, buildings, among other damages to the infrastructures owned, operated, and maintained by the Puerto Rico Electric Power Authority (PREPA).

In the Barranquitas Municipality, PREPA has a total of 2,584 ea. streetlights luminaries. The Method of Repair (MOR) include the replacement of the damage lighting components including photocells, luminaires, arms, and associated hardware. Also include the replacement of the damage distribution and streetlight poles (wood, concrete, galvanized & aluminum), the replacement of the aerial secondary wiring connections, the construction of new concrete base for the aluminum streetlight poles and new trenches for the streetlighting secondary underground circuits. According to the information provided by the Applicant, due to the high velocity hurricane winds, wind-blown debris, and prolonged heavy rain, were the main cause of the damages of the facilities.

In order to minimize the damages in a future event, the Applicant is proposing as a mitigation measure, increase the strength of the poles, arms, aluminum poles breakaway bases, and foundations (concrete bases) by increasing the wind tolerance of all materials to 160mph. Note: The FEMA Accelerated Award Strategy

(FAAST) MOR included the PREPA distribution standards and specifications that were based on a 90mph sustained winds for all materials. Although in PREPA Technical Communication #13-02 (August 22, 2013) a design-criteria of 145mph winds were published, the specifications for streetlighting material were never revised, and in the specification documents, the 90mph winds stayed as the requirement for procurement purposes of all streetlighting materials. The 160mph wind tolerance mitigation measure, will protect and make the affected infrastructure more resistant, stronger, and resilient to similar hazards.

Hazard Mitigation Proposal (HMP) Scope of Work:

In order to prevent or reduce future damages from similar events, the applicant proposed the following mitigation measures:

Mitigation Measures (*Replacement*)

1. To avoid damage in a future event, the Applicant is proposing as a mitigation measure, increase the strength of the poles, arms, aluminum poles breakaway bases, and foundations (concrete bases) by increasing the wind tolerance of all materials to 160mph. The FAASt MOR used PREPA distribution standards and specifications that were based on a 90mph sustained winds for all materials. Although in PREPA Technical Communication #13-02 (August 22, 2013) a design-criteria of 145mph winds were published, the specifications for streetlighting material were never revised, and in the specification documents, the 90mph winds stayed as the requirement for procurement purposes of all streetlighting materials. The above mitigation measures will protect and make the affected infrastructure more resistant, stronger, and resilient to similar hazards. Refer to Appendix J: Section VI.D.1 of the PAPPG V3.1.

406 Mitigation Scope of Work:

- Replace (1,916 ea.) 4ft galv. steel arms (90mph by 160mph winds resistant) for (steel/concrete/wood) poles.
- Replace (57 ea.) 8ft galv. steel arms (90mph by 160mph winds resistant) for (steel/concrete/wood) poles.
- Replace (26 ea.) 4ft galv. steel arms (90mph by 160mph winds resistant) for (octagonal concrete) poles.
- Replace (8 ea.) 12ft aluminum arm (90mph by 160mph winds resistant) for (aluminum) poles.
- Replace (1 ea.) 33ft octagonal concrete poles by (1 ea.) 39ft octagonal concrete poles.
- Replace (971 ea.) 35ft galvanized poles by (971 ea.) 35ft S3.5 galvanized poles.
- Replace (5 ea.) 30ft aluminum poles by (5 ea.) 40ft aluminum poles.
- Replace (3 ea.) 30ft aluminum poles breakaway bases by (3 ea.) 40ft aluminum poles breakaway bases.
- Replace (5 ea.) 30ft aluminum poles concrete bases [2.5ft(D) x 5.5ft(H)] by (5 ea.) 40ft aluminum poles concrete bases [3ft(D) x 10ft(H)].

Hazard Mitigation Proposal (HMP) Cost:

Total Net Hazard Mitigation Cost (Base Cost) =	\$1,104,151.73
+ HM (Applicant A&E, Management & General Conditions) =	<u>\$ 472,894.36</u>
Hazard Mitigation Total Cost =	\$1,577,046.09

HMP Cost-Effectiveness Calculations:

FEMA's Benefit-Cost Analysis (BCA), methodology evaluates expected risk reduction benefits of a hazard mitigation project and compares those benefits to the cost of the mitigation project. FEMA Public Assistance Program and Policy Guide (PAPPG) Chapter 2. Section VII. C. defines cost effective mitigation as: The Hazard Mitigation Measure is cost effective through an acceptable Benefit Cost Analysis (BCA) with a resulting Benefit Cost Ratio equal to or greater than (1).

The Island Wide Benefit Cost Analysis (IWBCA) created for the PREPA infrastructure defines a maximum potential benefit using the incurred costs of the PREPA FEMA Accelerated Award Strategy (FAASt) fixed cost estimate, the mission assignments utilized for the reconnection effort, and the costs associated with loss of service. This maximum benefit has been developed to fund all mitigation projects from both Public Assistance Hazard Mitigation and the Hazard Mitigation Grant program.

It is the applicant's responsibility to maintain a record of approved IWBCA related projects to avoid running out of funds for their Mitigation portion projects". Please see attached IWBCA Package

The cost of the Hazard Mitigation Proposal (HMP) described herein is \$1,577,046.09 (Hazard Mitigation Total Cost). The cost of this HMP combined with all other proposals (both PA and HMGP) does not exceed the maximum potential benefit and is therefore deemed cost effective per FEMA Public Assistance Program and Policy Guide (PAPPG) V3.1 April 2018, Chapter 2, VII., Section C, BCA Rule. This Hazard Mitigation Proposal meets eligible repair and restoration cost-effective requirements.

****See Mitigation Profile Documents Tab in Grants Manager for complete version of this HMP and supporting documents (HMP, HMP cost estimate, Supporting documents file).**

Cost

Code	Quantity	Unit	Total Cost	Section
3510 (Engineering And Design Services (PREPA FAASSt Global A&E 335168))	1.00	Lump Sum	(\$2,048,083.31)	Uncompleted
9201 (PAAP Fixed Estimate (No Value - Tracking Purposes Only))	1.00	Lump Sum	\$0.00	Completed
9001 (Contract (PREPA FAASSt Donor Project 136271))	1.00	Lump Sum	\$11,478,412.53	Uncompleted

CRC Gross Cost	\$9,430,329.22
Total 406 HMP Cost	\$1,577,046.09
Total Insurance Reductions	\$0.00
<hr/>	
CRC Net Cost	\$11,007,375.31
Federal Share (90.00%)	\$9,906,637.78
Non-Federal Share (10.00%)	\$1,100,737.53

Award Information

Version Information

Version #	Eligibility Status	Current Location	Bundle Number	Project Amount	Cost Share	Federal Share Obligated	Date Obligated
0	Eligible	Awarded	PA-02-PR-4339-PW-11675(15278)	\$11,007,375.31	90%	\$9,906,637.78	5/30/2024

Drawdown History

EMMIE Drawdown Status As of Date	IFMIS Obligation #	Expenditure Number	Expended Date	Expended Amount
No Records				

Obligation History

Version #	Date Obligated	Obligated Cost	Cost Share	IFMIS Status	IFMIS Obligation #
-----------	----------------	----------------	------------	--------------	--------------------

Subgrant Conditions

- As described in Title 2 Code of Federal Regulations (C.F.R.) § 200.333, financial records, supporting documents, statistical records and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three (3) years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. Exceptions are stated in 2 C.F.R. §200.333(a) – (f)(1) and (2). All records relative to this project are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster-specific costs.
- In the seeking of proposals and letting of contracts for eligible work, the Applicant/Subrecipient must comply with its Local, State (provided that the procurements conform to applicable Federal law) and Federal procurement laws, regulations, and procedures as required by FEMA Policy 2 CFR Part 200, Procurement Standards, §§ 317-326.
- The Recipient must submit its certification of the subrecipient's completion of this project, the final claim for payment, and supporting documentation within 180 days from the date that the applicant completes the scope of work, or the project deadline, whichever occurs first. FEMA reimburses Large Projects (those with costs above the large project threshold) based on the actual eligible final project costs. Therefore, during the final project reconciliation (closeout), the project may be amended to reflect the reconciliation of actual eligible costs.
- When any individual item of equipment purchased with PA funding is no longer needed, or a residual inventory of unused supplies exceeding \$5,000 remains, the subrecipient must follow the disposition requirements in Title 2 Code of Federal Regulations (C.F.R.) § 200.313-314.
- The terms of the FEMA-State Agreement are incorporated by reference into this project under the Public Assistance award and the applicant must comply with all applicable laws, regulations, policy, and guidance. This includes, among others, the Robert T. Stafford Disaster Relief and Emergency Assistance Act; Title 44 of the Code of Federal Regulations; FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide; and other applicable FEMA policy and guidance.
- The DHS Standard Terms and Conditions in effect as of the declaration date of this emergency declarations or major disaster, as applicable, are incorporated by reference into this project under the Public Assistance grant, which flow down from the Recipient to subrecipients unless a particular term or condition indicates otherwise.
- The Uniform Administrative Requirements, Cost Principles, and Audit Requirements set forth at Title 2 Code of Federal Regulations (C.F.R.) Part 200 apply to this project award under the Public Assistance grant, which flow down from the Recipient to all subrecipients unless a particular section of 2 C.F.R. Part 200, the FEMA-State Agreement, or the terms and conditions of this project award indicate otherwise. See 2 C.F.R. §§ 200.101 and 110.
- The subrecipient must submit a written request through the Recipient to FEMA before it makes a change to the approved scope of work in this project. If the subrecipient commences work associated with a change before FEMA approves the change, it will jeopardize financial assistance for this project. See FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide.
- Pursuant to section 312 of the Stafford Act, 42 U.S.C. 5155, FEMA is prohibited from providing financial assistance to any entity that receives assistance from another program, insurance, or any other source for the same work. The subrecipient agrees to repay all duplicated assistance to FEMA if they receive assistance for the same work from another Federal agency, insurance, or any other source. If an subrecipient receives funding from another federal program for the same purpose, it must notify FEMA through the Recipient and return any duplicated funding.

Insurance

Additional Information

3/7/2024

No adjustments to be made to the previous insurance coverage determination, no revisions to narrative needed, updated applicant tracker if needed, providing administrative function and forwarding project for completion.

1/29/2024

GENERAL INFORMATION

Event: DR4339-PR

Project: SP 704921

Category of Work: Cat F - Utilities

Applicant: PR Electric Power Authority

Event Type: Hurricane / Hurricane Maria

Cause of Loss: Wind / Wind Driven Rain

Incident Period: 9/17/2017 to 11/15/2017

Total Public Assistance Amount: \$11,007,375.31 (CRC Gross Cost \$9,430,329.22 + Mitigation Amount \$1,577,046.09)

COMMERCIAL INSURANCE INFORMATION

Does the applicant have a Commercial Policy that extends coverage for this facility: Yes

Policies Issued by: Willis Towers Watson, Multinational Insurance Company and Mapfre

Policy Numbers: Willis Towers Watson (B0804Q1966F17, B0804Q14312F17, B0804Q19673F17, B0804Q19672F17, B0804Q18529F17, B0804Q14312F17, B0804Q19674F17, B0804Q18411F17, B0804Q14310F17, B0804Q11038F17, B0804Q14507F17, B0804Q14312F17)

Mapfre Praico Insurance Company (1398178000644)

Multinational Insurance Company (88-CP-000307831-2, 88-CP-000318673-0, 88-CP000318674-0, 88-CP-000318675-0, 88-CP-000318676-0, 88-CP-000318677-0)

Policy Period: From: 5/15/2017 To: 5/15/2018

Policy Limits: \$300,000,000.00

RCV or ACV: Replacement Cost Value

Deductible Amount \$25,000,000.00 each and every occurrence property damage and 30 days each and every occurrence business interruption in respect of Named Windstorm.

Does the Applicant's Commercial Policy extend coverage for the damage described in this project: No

NUMBER OF DAMAGED LOCATIONS INCLUDED IN THIS PROJECT: (1)

Damaged Inventory (DI) #1296966:

FAASt [Distribution Streetlighting - Barranquitas]

Location: Barranquitas Distribution Streetlighting

GPS Coordinates: XXXXXXXXXX

Cause of Loss: Wind / Wind Driven Rain

SOV / Schedule #: Not insured

SOV / Schedule Amount: Not insured

Applicable Deductible Amount: N/A

Damage Inventory Amount: \$11,007,375.31 (CRC Gross Cost \$9,430,329.22 + Mitigation Amount \$1,577,046.09)

-
Prior Obtain and Maintain Requirement:

No prior insurance requirements were found for this facility.

-
Reduction(s):

No insurance reduction will be applied to this project as coverage is not anticipated. An anticipated insurance reduction of \$193,746,436.00 was applied to FFAST project # 136271 for anticipated insurance proceeds for Hurricane Maria losses. For ease of reference, please see table of insurance allocations: "PREPA Allocation Plan – All Disasters" file.

-
Obtain and Maintain Requirement:

No Obtain & Maintain Requirement is being mandated for the FFAST [Distribution Streetlighting - Barranquitas] because the facility does not meet the definition of building, equipment, contents, or vehicle.

Insurance Proceeds Statement:

FEMA acknowledges that the Applicant is in negotiations with their insurance carrier at the time of the FEMA insurance review and might have received partial settlements. In accordance with 44 CFR §206.250-253, in the absence of an actual settlement, anticipated insurance recoveries will be deducted from this project based on Applicant's insurance policy limits. FEMA subsequently adjusts the eligible costs based on the actual amount of insurance proceeds the Applicant receives after a final settlement.

FEMA's Recovery Policy FP 206-086-1, Public Assistance Policy on Insurance (June 29, 2015), requires applicants to take reasonable efforts to recover insurance proceeds that it is entitled to receive from its insurers. FEMA will consider final insurance settlements that may be less than the insurance policy limits when an applicant demonstrates that it has taken reasonable efforts to recover insurance proceeds that it is entitled on a case-by-case basis.

Standard Insurance Comments

FEMA Policy 206-086-1

PART 2: Other Insurance-Related Provisions. (Sections 312 and 406(d) of the Stafford Act)

A Duplication of Benefits. FEMA cannot provide assistance for disaster-related losses that duplicate benefits available to an applicant from another source, including insurance.

1. Before FEMA approves assistance for a property, an applicant must provide FEMA with information about any actual or anticipated insurance settlement or recovery it is entitled to for that property.

2. FEMA will reduce assistance to an applicant by the amount of its actual or anticipated insurance proceeds.

3. Applicants must take reasonable efforts to recover insurance proceeds that they are entitled to receive from their insurer(s).

...

5. If an applicant has an insurance requirement from a previous event:

a. FEMA will reduce assistance by the actual or anticipated insurance proceeds, or the amount of insurance required in the previous disaster, whichever is greater.

b. FEMA will only consider insolvent insurers, legal fees, or apportionment of proceeds as described in Section VII, Part 2(A)(3) and (4)

when the applicant's anticipated or actual insurance proceeds are higher than the amount of insurance required in the previous disaster.

Jean-Carlo Echevarria, PA Insurance Specialist, CRC Atlantic, Guaynabo, PR

O&M Requirements

There are no Obtain and Maintain Requirements on **FAAST [Barranquitas Streetlighting] (Distribution)**.

406 Mitigation

There is no additional mitigation information on **FAAST [Barranquitas Streetlighting] (Distribution)**.

Environmental Historical Preservation

Is this project compliant with EHP laws, regulations, and executive orders?

Yes

EHP Conditions

- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize funding.
- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archaeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.
- Executive Order 11988 - Floodplains - Applicant must obtain any required permits from the Puerto Rico Permits Management Office (OGPe) prior to initiating work and comply with any conditions of the permit established by the Planning Board (JP) for constructions in floodplains. All coordination (emails, letters, documented phone calls) pertaining to these activities and compliance must be provided and maintained in the Applicant's permanent files.
- Executive Order 11990 - Wetlands - The Applicant shall ensure best management practices are implemented to prevent erosion and sedimentation to surrounding, nearby or adjacent wetlands. To ensure that wetlands are not adversely impacted, per the Clean Water Act and Executive Order 11990, equipment storage and staging of construction materials and machinery must be in a location that would prevent erosion and sedimentation.
- Endangered Species Act (ESA) - Puerto Rican Boa (Conditions 1 - 7) 1. Inform all project personnel about the potential presence of the Puerto Rican (PR) boa and Virgin Islands (VI) boa in areas where the proposed work will be conducted and provide training on PR and VI boa identification. A pre-construction meeting will be conducted to inform all project personnel about the need to avoid harming these species. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973. An educational poster or sign with photo or illustration of these species will be displayed at the project site. 2. Prior to any construction activity, including removal of vegetation and earth movement, the boundaries of the project area and any area to be excluded and protected will be clearly marked in the project plan and in the field to avoid further habitat degradation outside of the footprint of the project. 3. Once areas are clearly marked, and right before the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), biologist or designated project personnel with experience on these species will survey the areas to be cleared to verify the presence of any PR or VI boa within the Action Area. If a PR or VI boa is found during the

search, it should be captured and managed as per #6 below. Once the removal of vegetation begins, the biologist or designated personnel must remain at the work site and be ready to capture any boa that might be in harm's way as the result of the habitat disturbance (see #6). 4. For VI boas, once the Action Area has been searched, vegetation will be cut about one meter above ground prior to the use of heavy machinery for land clearing. Cutting vegetation by hand will allow VI boas present on site to move away on their own to adjacent available habitat. If there is no suitable habitat adjacent to the project site, any VI boa found will be relocated accordingly (see #6). 5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. Data will also include a photo of the animal (dead or alive), relocation site GPS coordinates, time and date of the relocation, and comments on how the animal was detected and its behavior. 6. If any PR or VI boa (dead or alive) is found within the Action Area and on harm's way, the action will stop, and information will be recorded (see #5). All attempts will be made to immediately safely capture and relocate the animal within suitable habitat (forested) at least 1 km from the Action Area and away from construction areas. PR boa relocation sites will be pre-determined before the project starts and sites shared with the Service for revision and concurrence. Relocation of PR boas will be conducted by trained, designated personnel ensuring the animal is not harmed or injured during the capture and relocation process. 7. Measures will be taken to avoid and minimize PR boa and VI boa casualties by heavy machinery or motor vehicles being left in the Action Area. - Any heavy machinery left on site (staging areas) or near potential PR or VI boa habitat will be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the heavy machinery. If a PR boa or VI boa is found within vehicles or heavy machinery, boas will be safely captured accordingly. If not possible, the animal will be left alone until it leaves the vehicle or machine by itself. - The PR boa and VI boa may seek shelter within debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in new debris piles as a result of project activities. New debris piles should be placed in areas as far as possible from forested areas. Prior to moving, disposing, or shredding, debris piles should be carefully inspected for the presence of PR boas and VI boas. If debris piles will be left on site, we recommend they be placed in an undisturbed area. - In the event a PR boa and VI boa is found dead within the project area, the Federal Agency and the Recipient must contact the Service to appropriately dispose the animal. - If a PR boa or a VI boa is accidentally injured or killed during capture and relocation activities during the Action, the Federal Agency and the Recipient shall terminate the authorized activities and contact the Service within 24 hours to reinstate consultation. The Federal Agency will consult with the Service to determine whether authorized activities should continue as proposed and whether modifications are warranted. - Should the forms of take reach the amount of exempted take during the Action, the Federal Agency and the Recipient shall terminate the authorized activities and contact the Service within 24 hours to reinstate consultation. The Federal Agency will consult with the Service to determine whether authorized activities should continue as proposed and whether modifications are warranted. For questions and to submit reports, the Service's Point of Contact (POC) is José Cruz-Burgos, Endangered Species Coordinator, and can be contacted at: Mobile: 305-304-1386 Office phone: 786-244-0081 Office Direct Line: 939-320-3120 Email: Caribbean_es@fws.gov or jose_cruz-burgos@fws.gov

- Endangered Species Act (ESA) - Puerto Rican parrot, Puerto Rican plain pigeon, and Puerto Rican broad-winged hawk (Condition 9) 9. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During breeding seasons (see below), nest surveys shall be conducted if a project occurs within the range of any of the species listed above and if habitat for those species will be impacted by the proposed actions. Nest searches must be conducted by qualified personnel with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER) prior to start of work. If nesting activity is detected, all construction activities or human disturbance must be avoided within a 50-meter buffer around any nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Outside the breeding season no nest surveys are required, but if a nest is encountered, all construction activities or human disturbance must be avoided within a 50-meter buffer around that nest(s). This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Furthermore, if any of the species indicated above is observed (e.g., foraging, resting) within the project area, avoid any disturbance to the individual(s) and do not flush the bird until it leaves on its own. Nesting seasons: Puerto Rican parrot: February-June, Puerto Rican plain pigeon: April-September, and Puerto Rican broad-winged hawk: December-June. For all nest sightings, the Applicant must record the time and date of the sighting and the specific location where it was found. All sightings and incidental lethal take reports should be sent to the USFWS Caribbean Ecological Services Field Office at Caribbean_es@fws.gov. For questions, the Point of Contact (POC) is José Cruz-Burgos, Endangered Species Program Coordinator, and can be contacted at: -Mobile: 305-304-1386 -Office phone: 786-244-0081 Office Direct Line: 939-320-3120 -Email: jose_cruz-burgos@fws.gov
- Endangered Species Act (ESA) - The Applicant must provide documentation at close-out that proves completion of required Conservation Measures.
- National Historic Preservation Act (NHPA) - 1. The Subrecipient and/or Subrecipient's contractor shall follow the Low Impact Debris Removal Stipulations (LIDRS) as stated in Appendix E of the Project-Specific Programmatic Agreement Among FEMA, the SHPO, ACHP, COR3, and PREPA (PSPA), executed on August 2, 2022. 2. Unexpected Discoveries: Pursuant to Stipulation III.B of the PSPA, if, in the course of implementing this Individual Undertaking(s), previously unidentified structures, sites, buildings, objects, districts, or archaeological deposits, that may be eligible for listing in the National Register, or human remains are uncovered, or if it appears that an Individual Undertaking has affected or will affect a previously identified historic property in an unanticipated manner, the contractor must notify Subrecipient who will immediately notify the Recipient. Work must stop in the vicinity of the discovery and measures must be taken to protect the discovery and avoid additional harm. 3. Additional staging areas and/or work pads within work site area haven't been identified yet. The Recipient/Subrecipient and/or

private operator must provide the information of any additional staging areas or work pads for EHP evaluation as soon as available specially if any construction activity will be necessary to prepare the site(s). Information for staging areas and/or work pads confined to previously disturbed or hardened surfaces can be provided at close-out.

- Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA) - 1. The Applicant shall handle, manage, and dispose of all types of hazardous waste in accordance with requirements of local, state, and federal laws, regulations, and ordinances. In addition, the Applicant shall ensure that all debris is separated and disposed of in a manner consistent with the PR DNER guidelines at a permitted site or landfill. The contractor/applicant will be responsible for the proper disposition of construction debris in authorized landfills providing the name, location, coordinates and permits of the facility to the corresponding authorities. 2. Unusable equipment, debris, white goods, scrap metal any other material shall be disposed in approved manner and location. In the event significant items are discovered during the implementation or development of the project the Applicant shall handle, manage and dispose petroleum products, hazardous materials and toxic waste in accordance with the requirements of the local and federal agencies. Noncompliance with these requirements may jeopardize receipt
- NEPA Determination - 1. All borrow or fill material must come from pre-existing stockpiles, material reclaimed from maintained roadside ditches (provided the designed width or depth of the ditch is not increased), or commercially procured material from a source existing prior to the event. For any FEMA-funded project requiring the use of a non-commercial source or a commercial source that was not permitted to operate prior to the event (e.g., a new pit, agricultural fields, road ROWs, etc.) in whole or in part, regardless of cost, the Applicant must notify FEMA and the Recipient prior to extracting material. FEMA must review the source for compliance with all applicable federal environmental planning and historic preservation laws and executive orders prior to a Sub-recipient or their contractor beginning borrow extraction. Consultation and regulatory permitting may be required. Non-compliance with this requirement may jeopardize receipt of federal funding. Documentation of borrow sources utilized is required at close-out and must include fill type (private, commercial, etc.), name, fill site GPS coordinates (not of the company/governmental office), address, and type of material. 2. Additional staging areas and/or work pads within work site area haven't been identified yet. The Recipient/Subrecipient and/or private operator must provide the information of any additional staging areas or work pads for EHP evaluation as soon as available specially if any construction activity will be necessary to prepare the site(s). Information for staging areas and/or work pads confined to previously disturbed or hardened surfaces can be provided at close-out.

EHP Additional Info

There is no additional environmental historical preservation on **FAAST [Barranquitas Streetlighting] (Distribution)**.

Final Reviews

Final Review

Reviewed By Amaro, Luis N.

Reviewed On 05/01/2024 6:38 AM PDT

Review Comments

LNA 05/01/24. This project has been reviewed, found eligible and cost reasonable, and it is ready to continue the award process.

Recipient Review

Reviewed By Salgado, Gabriel

Reviewed On 05/03/2024 12:59 PM PDT

Review Comments

Recipient review completed. Applicant must ensure to compliance with all regulatory requirements and PA policy. Project is ready for applicant review.

Fixed Cost Offer

As a Public Assistance (PA) Subrecipient PR Electric Power Authority (000-UA2QU-00), in accordance with Section 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Applicant agrees to accept a permanent work subaward based on a Fixed Cost Offer in the amount of \$11,007,375.31 for subaward number 11675 under Disaster # 4339. The Applicant accepts responsibility for all costs above the Fixed Cost Offer.

The Applicant understands that by participating in this pilot program they will be reimbursed for allowable costs in accordance with 2 CFR Part 200, and the reimbursement will not exceed the Fixed Cost Offer. The Applicant also understands that by agreeing to this Fixed Cost Offer, they will not receive additional funding related to the facilities or sites included in the subaward. The Applicant also acknowledges that failure to comply with the requirements of applicable laws and regulations governing assistance provided by FEMA and the PA Alternative Procedures Pilot Program Guidance (such as procurement and contracting; environmental and historic preservation compliance; and audit and financial accountability) may lead to loss of federal funding.

Project Signatures

Signed By Miller, Thomas

Signed On 05/06/2024

Department of Homeland Security Federal Emergency Management Agency

General Info

Project #	724600	PW #	11735	Project Type	Specialized
Project Category	F - Utilities	Applicant	PR Electric Power Authority (000-UA2QU-00)		
Project Title	FAASt [Jayuya Streetlighting] (Distribution)				
Project Size	Large	Event	4339DR-PR (4339DR)		
Activity Completion Date	9/20/2027	Declaration Date	9/20/2017		
Process Step	Obligated	Incident Start Date	9/17/2017		
		Incident End Date	11/15/2017		

Damage Description and Dimensions

The Disaster # 4339DR, which occurred between **09/17/2017** and **11/15/2017**, caused:

Damage #1335507; FAASt [Distribution Streetlighting - Jayuya] (Distribution)

DDD for this facility codified in the 136271 - MEPA078 Puerto Rico Electrical Power Authority Island Wide FAASt Project.

General Facility Information:

- **Facility Type:** Power generation, transmission, and distribution facilities
- **Facility:** Distribution Streetlighting - Jayuya
- **Facility Description:** There are an estimated 500,000 streetlights in Puerto Rico that are owned by Puerto Rico Electric Power Authority "PREPA" and serviced by LUMA. While assessing the distribution streetlighting system, it is anticipated that numerous damaged streetlights will be identified that require immediate repair to avoid safety hazards, violations of federal or local ordinance, and imminent equipment failures. Pole – This can be either a standalone structure intended to house a streetlight, or a utility pole shared with other overhead utilities • Arm – A piece of hardware affixed to a pole to which a luminaire is mounted. The arm serves to position the streetlight over the street for optimal lighting • Luminaire/Light Bulb – The light emitting part of a streetlight • Light controller (e.g., photocell) – A hardware device affixed to the luminaire which controls the operating mode • Communication network – A wired or wireless system that allows the smart streetlight to communicate with other devices and the control system • Technology control system – A software platform that allows a remote operator to set the operating parameters for the smart streetlight or manually override the parameter if needed
- **Approx. Year Built:** 1970
- **GPS Latitude/Longitude:** [REDACTED]

General Damage Information:

- **Date Damaged:** 9/20/2017
- **Cause of Damage:** High winds & wind driven rain, caused by Cat 4 Hurricane Maria

Final Scope

1335507 **FAASt [Distribution Streetlighting - Jayuya] (Distribution)**

Introduction

The purpose of this document is to submit for approval the Detailed Scope of Work (SOW) to COR3 and FEMA for the Distribution Streetlighting Jayuya project (Jayuya municipality) under DR-4339-PR Public Assistance. The document provides a description of the project, including scope, schedule, and cost estimates, as well as Environmental & Historical Preservation ("EHP") requirements and proposed 406 hazard mitigation work. LUMA Energy is seeking approval from COR3 and FEMA for project funding to repair, replace, and upgrade the eligible facilities in the municipality of Jayuya.

LUMA submits this detailed SOW pursuant to the T&D O&M Agreement between Puerto Rico, Puerto Rico Electric Power Authority ("PREPA"), the Puerto Rico Public-Private Partnerships Authority ("P3A") and LUMA Energy, and in accordance with the Consent to Federal Funding Letter issued by PREPA and P3A and provided herein as Appendix E which collectively provides the necessary consent for LUMA Energy, as agent of PREPA, to undertake work in connection with any Federal Funding requests related to the T&D System submitted to FEMA.

This document will be updated with information developed during the initial design and engineering phase through the construction phase.

Facilities

Facilities List:

This project is part of the breakdown division for the Distribution Streetlighting Program which will be impacting each of the municipalities, listed. Characteristics were previously defined to serve the municipality of Jayuya according to the priorities and findings after conducting the assessments.

Physical Address	Jayuya, Puerto Rico
Coordinates	Please refer to Appendix F for Coordinates

Proposed 428 Public Assistance Scope of Work

A. Lighting Components Replacement

1. Remove existing lighting components, including photo controls, luminaires, arms, and associated hardware, and install new lighting components in the same location.
2. Perform brushing of vegetation, when required, for the exclusive purpose of gaining access to the pole to conduct repairs.
3. Perform site evaluation and disposal of hazardous photocells in an approved facility.

B. Pole Replacement

1. Remove and replace existing streetlight poles, including lighting components, at the same location or within 3 feet.
2. Perform brushing of vegetation, when required, for the exclusive purpose of gaining access to the pole to conduct repairs. (See project note #6)
3. Remove existing foundations, when required, and replace them with concrete foundations, in the same location, following design criteria. (See project note #7)

4. All work for this program will be performed within the current electrical right-of-way for each of the municipalities.

C. Trenching/Underground (Replacing Underground Circuit)

1. If required, perform new trenching, and replace underground circuit components following LUMA Trench Standards STL-16.

Scope Notes:

1. Project doesn't include removal and/or disposal of transformers because they are secondary voltage utilities and transformers removal pertain to primary voltage utilities.

2. List of Equipment to be used: Skid Steer, Excavator, Dump trucks, Manlifts, 120-Ton Motor Crane, Boom Trucks 45-ton Crane, Zoom Boom, Air compressor, Truck Digger, Water truck, Pump Truck, Concrete Vibrator, Oil Tanker, Filtering Machine and Flatbed platform. All equipment used will comply with Tier 4 EPA Emission Standards, If available.

3. All materials are stored and dispatched from the assigned LUMA's Regional Warehouse. The warehouse assigned is the Arecibo Warehouse, **18.46947, -66.70533**. Refer to Appendix M for Warehouse location.

4. All work for this program will be performed within the current electrical right-of-way for each of the municipalities. Poles are near the roads and are site accessible. The construction of **access roads** is not required for this scope of work. (Refer to Appendix K in the "Site Accessible" column).

5. The **brushing of vegetation** will be limited to a 10 ft radius that surrounds the surface of the pole without exceeding the width of the right-of-way. No tree removal will occur as part of this scope. Refer to Appendix K ("Brushing/Clearing Req'd" column) for locations where vegetation brushing is anticipated. The vegetation removal process will be managed according to applicable federal and state regulations.

6. The poles that will require replacement of the existing **foundation** can be found in Appendix G in the tab "Global Initial Scope of Work," column BD (Concrete Pole Base (40ft)), filter by values equal to 1. This represents the same information as Appendix K, column O (Concrete Foundation), filter by values equal to YES. Further, the dimensions for the foundations are 10 feet deep by 3 feet in diameter. The depth of the foundation can be found in Appendix K, column D (Soil area and depth impact).

7. Fill, gravel, and sand materials will be obtained from a preferred vendor as referenced in the *Approved Supplier List Directory PR* (see Appendix A). LUMA will provide actual suppliers' documentation as a condition of the FEMA Record of Environmental Considerations.

8. Coordinates for streetlight poles where **ground disturbance** is anticipated can be found in Appendix G and Appendix K. Refer to Appendix K column D (Soil area and depth impact) for the depths of the poles to be installed.

9. **Trenching** work will be performed within our existing 5' electrical Right of Way as specified in Appendix K. The trench's dimensions are described by LUMA Trench Standard STL-16 (Appendix I), which states that the typical trench width is 1 foot, and the typical trench depth is 3.5 feet. For this project, the typical trench was defined to have an average length of 100 feet and follow a straight line between the streetlight pole and its power connection. This activity does not require any vegetation clearance and/or access clearance.

10. This scope of work will not affect **water or sewer utility** services.

11. The **type of debris** that may be found in the process of removal are luminaires, pole arms, photocells, metal scrap, wiring, concrete, steel, and wood poles. The debris will be separated and taken to an approved waste disposal facility in compliance with applicable federal and local laws and regulations.

12. Photocells are considered **hazardous waste** and will be disposed of by the contractor in approved facilities in compliance with applicable federal and local laws and regulations. Material amounts will be provided by a certified management contractor performing a site evaluation calculation for asbestos, lead paint, and roof material. 13. Removal of wood poles with creosote treatment will be handled in accordance with all applicable State and Federal regulations.

14. LUMA will provide actual **disposal locations** and quantities as a condition of FEMA Record of Environmental Considerations.

15. It is not anticipated that the proposed project will involve dredging or disposal of dredged material, excavation, the addition of fill material, or result in any modification to water bodies or **wetlands** designated as “waters of the United States” as identified by the U.S. Army Corps of Engineers or on the National Wetland Inventory.

16. It is not anticipated that the project will alter a watercourse, water flow patterns, or a drainage way.

17. Specific List of Permits Required:

- i. Department of Transportation (DTOP) Endorsement.
- ii. Jayuya Municipality Notifications.
- iii. Excavation and Demolition Notification in the Department of Transportation and Public Works Agency (DTOP).
- iv. Lead Permit - EQB / DNR and Hazardous Waste Disposal Permit – EQB / DNR.

428 Project Cost Estimate

Cost estimates to complete the work have been generated at a class 3 level, which is between -10% and +30% of the final project cost. The estimate includes materials, construction labor and equipment, engineering, management, and contingencies. LUMA has allocated 10% of the project cost for the mitigation of potential known risks. For more details, please refer to LUMA LPCE.

Project Cost Estimate	428 Estimate
Planning, Permits and Applications	\$108,661.23
Environmental Management	\$605,164.82
Project Management	\$309,725.74
Engineering	\$680,573.92
Construction	\$6,690,076.08
Contingency	\$587,594.13
TOTAL	\$8,981,795.92
428 FAASt Project 704862	\$7,277,670.20
FAASt Project A&E 335168	\$1,704,125.72

For a detailed cost estimate, please refer to document labeled: 724600-DR-4339 Appendix G - Cost Estimate Jayuya

Project Cost Summary, Version 0:

Work to be Completed (WTBC): \$8,981,795.92

A&E Deduction (Global A&E FAAS 335168): -\$1,704,125.72

Project Total: \$7,277,670.20

Project Notes:

1. Refer to the detailed SOW provided in document 724600-DR4339PR-Detailed SOW Jayuya-DSOW-Work To Be Completed Rev2 - signed.pdf
2. For reference documents Appendix A through N, see the file labeled:
 - Appendix A – Preferred Vendor List Directory PR
 - Appendix B – Moca Work Zones Map
 - Appendix C – LUMA Waste Management Plan
 - Appendix D – LUMA Wildlife Avian and Historical Protection Procedure #335
 - Appendix E – Consent to Federal Funding Letter- FEMA/COR3
 - Appendix F – Moca Work Zones FIDs SIDs and Coordinates
 - Appendix G – Cost Estimate Moca Municipality
 - Appendix H – Intentionally Left in Blank*
 - Appendix I – LUMA Streetlighting Construction Standards
 - Appendix J – LUMA Distribution Design Manual
 - Appendix K – EHP Checklist Moca
 - Appendix L – EHP Maps Moca
 - Appendix M – Warehouse Locations
 - Appendix N – FEMA Work Completed Reference Doc
4. Architectural and Engineering (A&E) costs are deducted given previously obligated Global A&E Project for the subject FAAS PREPA work (see project: 335168 - FAAS A&E PREPA).
5. For a detailed cost estimate, please refer to document labeled: 724600-DR-4339 Appendix G - Cost Estimate Jayuya Municipality.xlsx.
6. This project is part of Donor FAAS 136271 – MEPA078 Puerto Rico Electrical Power Authority (PREPA) Island Wide FAAS Project.
7. All streetlight trench rebuilds will be performed in the same location and with the same dimensions as the existing damaged one.
8. No new trenches are considered under the project.
9. The trenches are described by LUMA Trench Standard STL-16 (attached in the project), which states that the typical trench width is 1 foot, and the typical trench depth is 3.5 feet. For this project, the typical trench was defined to have an average length of 100 feet and following a straight line between the streetlight poles.

406 HMP Scope

Project number: 724600; FAASt [Distribution Streetlighting - Jayuya] (Distribution)

Damage #1335507; FAASt Distribution Streetlight Jayuya

Applicant: PR Electric Power Authority (000-UA2QU-00)

Location: Jayuya, Puerto Rico

GPS Latitude/Longitude: [REDACTED]

Hazard Mitigation Narrative

During the incident period from September 17, 2017, to November 15, 2017, the Commonwealth of Puerto Rico experienced hurricane-force winds, heavy rain, flooding and power outage from Hurricane Maria. The incident caused damage to the electrical system, such as the power generation plants, transmission and distribution lines, substations, communication systems, buildings, among other damages to the infrastructures owned, operated, and maintained by the Puerto Rico Electric Power Authority (PREPA).

In the Jayuya Municipality, PREPA has a total of 1,835 streetlights luminaries. The Method of Repair (MOR) include the replacement of the damage lighting components including photocells, luminaires, arms, and associated hardware. Also include the replacement of the damage distribution and streetlight poles (wood, concrete, galvanized & aluminum), the replacement of the aerial secondary wiring connections, the construction of new concrete base for the aluminum streetlight poles and new trenches for the streetlighting secondary underground circuits. According to the information provided by the Applicant, due to the high velocity hurricane winds, wind-blown debris, and prolonged heavy rain, were the main cause of the damages of the facilities.

In order to minimize the damages in a future event, the Applicant is proposing as a mitigation measure, increase the strength of the poles, arms, aluminum poles breakaway bases, and foundations (concrete bases) by increasing the wind tolerance of all materials to 160mph. Note: The FEMA Accelerated Award Strategy (FAASt) MOR included the PREPA distribution standards and specifications that were based on a 90mph sustained winds for all materials. Although in PREPA Technical Communication #13-02 (August 22, 2013) a design-criteria of 145mph winds were published, the specifications for streetlighting material were never revised, and in the specification documents, the 90mph winds stayed as the requirement for procurement purposes of all streetlighting materials. The 160mph wind tolerance mitigation measure, will protect and make the affected infrastructure more resistant, stronger, and resilient to similar hazards.

Hazard Mitigation Proposal (HMP) Scope of Work:

In order to prevent or reduce future damages from similar events, the applicant proposed the following mitigation measures:

Mitigation Measures (Replacement)

➤ To avoid damage in a future event, the Applicant is proposing as a mitigation measure, increase the strength of the poles, arms, aluminum poles breakaway bases, and foundations (concrete bases) by increasing the wind tolerance of all materials to 160mph. The FAASt MOR used PREPA distribution standards and specifications that were based on a 90mph sustained winds for all materials. Although in PREPA Technical Communication #13-02 (August 22, 2013) a design-criteria of 145mph winds were published, the specifications for streetlighting material were never revised, and in the specification documents, the 90mph winds stayed as the requirement for procurement purposes of all streetlighting materials. The above mitigation measures will protect and make the affected infrastructure more resistant, stronger, and resilient to similar hazards. Refer to Appendix J: Section VI.D.1 of the PAPPG V3.1.

406 Mitigation Scope of Work:

- Replace (1,437ea) 4ft galv. steel arms (90mph by 160mph winds resistant) for (steel/concrete/wood) poles.
- Replace (21ea) 8ft galv. steel arms (90mph by 160mph winds resistant) for (steel/concrete/wood) poles.
- Replace (20ea) 4ft galv. steel arms (90mph by 160mph winds resistant) for (octagonal concrete) poles.
- Replace (2ea) 12ft aluminum arm (90mph by 160mph winds resistant) for (aluminum) poles.
- Replace (11ea) 33ft octagonal concrete poles by (11 ea) 39ft octagonal concrete poles.
- Replace (822ea) 35ft galvanized poles by (822ea) 35ft S3.5 galvanized poles.

- Replace (2ea) 30ft aluminum poles by (2ea) 40ft aluminum poles.
- Replace (2ea) 30ft aluminum poles breakaway bases by (2ea) 40ft aluminum poles breakaway bases.
- Replace (2ea) 30ft aluminum poles concrete bases [2.5ft(D) x 5.5ft(H)] by (2ea) 40ft aluminum poles concrete bases [3ft(D) x 10ft(H)].

Hazard Mitigation Proposal (HMP) Cost:

Total Net Hazard Mitigation Cost (Base Cost) =	\$ 931,433.80
+ HM (Applicant A&E, Management & General Conditions) =	\$ <u>419,107.52</u>
Hazard Mitigation Total Cost =	\$ 1,350,541.32

HMP Cost-Effectiveness Calculations:

FEMA's Benefit-Cost Analysis (BCA), methodology evaluates expected risk reduction benefits of a hazard mitigation project and compares those benefits to the cost of the mitigation project. FEMA Public Assistance Program and Policy Guide (PAPPG) Chapter 2, Section VII, C. defines cost effective mitigation as: The Hazard Mitigation Measure is cost effective through an acceptable Benefit Cost Analysis (BCA) with a resulting Benefit Cost Ratio equal to or greater than (1).

The Island Wide Benefit Cost Analysis (IWBCA) created for the PREPA infrastructure defines a maximum potential benefit using the incurred costs of the PREPA FEMA Accelerated Award Strategy (FAAST) fixed cost estimate, the mission assignments utilized for the reconnection effort, and the costs associated with loss of service. This maximum benefit has been developed to fund all mitigation projects from both Public Assistance Hazard Mitigation and the Hazard Mitigation Grant program.

It is the applicant's responsibility to maintain a record of approved IWBCA related projects to avoid running out of funds for their Mitigation portion projects.". Please see attached IWBCA Package.

The cost of the Hazard Mitigation Proposal (HMP) described herein is **\$1,350,541.32 (Hazard Mitigation Total Cost)**. The cost of this HMP combined with all other proposals (both PA and HMGP) does not exceed the maximum potential benefit and is therefore deemed cost effective per FEMA Public Assistance Program and Policy Guide (PAPPG) V3.1 April 2018, Chapter 2, VII., Section C, BCA Rule. This Hazard Mitigation Proposal meets eligible repair and restoration cost-effective requirements.

**See Mitigation Profile Documents Tab in Grants Manager for complete version of this HMP and supporting documents (HMP, HMP cost estimate, Supporting documents file).

Cost

Code	Quantity	Unit	Total Cost	Section
3510 (v0 Engineering and Design Services, Deduction - PREPA FAAS ^t Global A&E 335168)	1.00	Lump Sum	(\$1,704,125.72)	Uncompleted
9201 (PAAP Fixed Estimate (No Value - Tracking Purposes Only))	1.00	Lump Sum	\$0.00	Completed
9001 (v0 Contract - PREPA FAAS ^t Donor Project 136271)	1.00	Lump Sum	\$8,981,795.92	Uncompleted

CRC Gross Cost \$7,277,670.20

Total 406 HMP Cost \$1,350,541.32

Total Insurance Reductions \$0.00

CRC Net Cost \$8,628,211.52

Federal Share (90.00%) \$7,765,390.37

Non-Federal Share (10.00%) \$862,821.15

Award Information

Version Information

Version #	Eligibility Status	Current Location	Bundle Number	Project Amount	Cost Share	Federal Share Obligated	Date Obligated
0	Eligible	Awarded	PA-02-PR-4339-PW-11735(15277)	\$8,628,211.52	90%	\$7,765,390.37	5/30/2024

Drawdown History

EMMIE Drawdown Status As of Date	IFMIS Obligation #	Expenditure Number	Expended Date	Expended Amount
No Records				

Obligation History

Version #	Date Obligated	Obligated Cost	Cost Share	IFMIS Status	IFMIS Obligation #
-----------	----------------	----------------	------------	--------------	--------------------

Subgrant Conditions

- As described in Title 2 Code of Federal Regulations (C.F.R.) § 200.333, financial records, supporting documents, statistical records and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three (3) years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. Exceptions are stated in 2 C.F.R. §200.333(a) – (f)(1) and (2). All records relative to this project are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster-specific costs.
- In the seeking of proposals and letting of contracts for eligible work, the Applicant/Subrecipient must comply with its Local, State (provided that the procurements conform to applicable Federal law) and Federal procurement laws, regulations, and procedures as required by FEMA Policy 2 CFR Part 200, Procurement Standards, §§ 317-326.
- The Recipient must submit its certification of the subrecipient's completion of this project, the final claim for payment, and supporting documentation within 180 days from the date that the applicant completes the scope of work, or the project deadline, whichever occurs first. FEMA reimburses Large Projects (those with costs above the large project threshold) based on the actual eligible final project costs. Therefore, during the final project reconciliation (closeout), the project may be amended to reflect the reconciliation of actual eligible costs.
- When any individual item of equipment purchased with PA funding is no longer needed, or a residual inventory of unused supplies exceeding \$5,000 remains, the subrecipient must follow the disposition requirements in Title 2 Code of Federal Regulations (C.F.R.) § 200.313-314.
- The terms of the FEMA-State Agreement are incorporated by reference into this project under the Public Assistance award and the applicant must comply with all applicable laws, regulations, policy, and guidance. This includes, among others, the Robert T. Stafford Disaster Relief and Emergency Assistance Act; Title 44 of the Code of Federal Regulations; FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide; and other applicable FEMA policy and guidance.
- The DHS Standard Terms and Conditions in effect as of the declaration date of this emergency declarations or major disaster, as applicable, are incorporated by reference into this project under the Public Assistance grant, which flow down from the Recipient to subrecipients unless a particular term or condition indicates otherwise.
- The Uniform Administrative Requirements, Cost Principles, and Audit Requirements set forth at Title 2 Code of Federal Regulations (C.F.R.) Part 200 apply to this project award under the Public Assistance grant, which flow down from the Recipient to all subrecipients unless a particular section of 2 C.F.R. Part 200, the FEMA-State Agreement, or the terms and conditions of this project award indicate otherwise. See 2 C.F.R. §§ 200.101 and 110.
- The subrecipient must submit a written request through the Recipient to FEMA before it makes a change to the approved scope of work in this project. If the subrecipient commences work associated with a change before FEMA approves the change, it will jeopardize financial assistance for this project. See FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide.
- The Subrecipient provided the estimate for this PW. FEMA validated the estimate and found it to be reasonable for the work to be performed.
- Pursuant to section 312 of the Stafford Act, 42 U.S.C. 5155, FEMA is prohibited from providing financial assistance to any entity that receives assistance from another program, insurance, or any other source for the same work. The subrecipient agrees to repay all duplicated assistance to FEMA if they receive assistance for the same work from another Federal agency, insurance, or any other source. If an subrecipient receives funding from another federal program for the same purpose, it must notify FEMA through the Recipient and return any duplicated funding.

Insurance

Additional Information

4/5/2024

No adjustments to be made to the previous insurance coverage determination, no revisions to narrative needed, updated applicant tracker if needed, providing administrative function and forwarding project for completion.

Patricia A. Perez, PA Insurance Specialist, CRC Atlantic, Guaynabo, PR

3/13/2024

GENERAL INFORMATION

Event: 4339DR-PR

Project: SP 724600

Category of Work: Cat F - Utilities

Applicant: PR Electric Power Authority

Event Type: Hurricane / Maria

Cause of Loss: Wind/Wind Driven Rain

Incident Period: 9/17/2017 to 11/15/2017

Total Public Assistance Amount: \$8,628,211.52 (CRC Gross Cost \$7,277,670.20 + HMP Amount \$1,350,541.32)

COMMERCIAL INSURANCE INFORMATION

Does the applicant have a Commercial Policy that extends coverage for this facility: Yes

Policies Issued by: Willis Towers Watson, Multinational Insurance Company and Mapfre

Policy Numbers: Willis Towers Watson (B0804Q1966F17, B0804Q14312F17, B0804Q19673F17, B0804Q19672F17, B0804Q18529F17, B0804Q14312F17, B0804Q19674F17, B0804Q18411F17, B0804Q14310F17, B0804Q11038F17, B0804Q14507F17, B0804Q14312F17

Mapfre Praico Insurance Company (1398178000644)

Multinational Insurance Company (88-CP-000307831-2, 88-CP-000318673-0, 88-CP000318674-0, 88-CP-000318675-0, 88-CP-000318676-0, 88-CP-000318677-0)

Policy Period: From: 5/15/2017 To: 5/15/2018

Policy Limits: \$300,000,000.00

RCV or ACV: Replacement Cost Value

Deductible Amount \$25,000,000.00 each and every occurrence property damage and 30 days each and every occurrence business interruption in respect of Named Windstorm

Does the Applicant's Commercial Policy extend coverage for the damage described in this project: No

NUMBER OF DAMAGED INVENTORIES INCLUDED IN THIS PROJECT: (1)

Damaged Inventory (DI) #1335507:

FAASt [Distribution Streetlighting - Jayuya] (Distribution)

Location Description: Distribution Streetlighting - Jayuya

GPS Coordinates: [REDACTED]

Cause of Loss: Wind / Wind Driven Rain

Damage Inventory Amount: \$8,628,211.52 (CRC Gross Cost \$7,277,670.20 + HMP Amount \$1,350,541.32)

Prior Obtain and Maintain Requirement:

No prior insurance requirements were found for this facility.

Reduction(s):

No insurance reduction will be applied to this project as coverage is not anticipated. An anticipated insurance reduction of \$193,746,436.00 was applied to FFAST project # 136271 for anticipated insurance proceeds for Hurricane Maria losses. For ease of reference, please see table of insurance allocations: "PREPA Allocation Plan – All Disasters" file.

Obtain and Maintain Requirement:

No Obtain & Maintain Requirement is being mandated for FFAST [Distribution Streetlighting - Jayuya] (Distribution)

because facility does not meet the definition of building, equipment, contents, or vehicle.

Insurance Proceeds Statement:

FEMA acknowledges that the Applicant is in negotiations with their insurance carrier at the time of the FEMA insurance review and might have received partial settlements. In accordance with 44 CFR §206.250-253, in the absence of an actual settlement, anticipated insurance recoveries will be deducted from this project based on Applicant's insurance policy limits. FEMA subsequently adjusts the eligible costs based on the actual amount of insurance proceeds the Applicant receives after a final settlement.

FEMA's Recovery Policy FP 206-086-1, Public Assistance Policy on Insurance (June 29, 2015), requires applicants to take reasonable efforts to recover insurance proceeds that it is entitled to receive from its insurers. FEMA will consider final insurance settlements that may be less than the insurance policy limits when an applicant demonstrates that it has taken reasonable efforts to recover insurance proceeds that it is entitled on a case-by-case basis.

Standard Insurance Comments

FEMA Policy 206-086-1

PART 2: Other Insurance-Related Provisions. (Sections 312 and 406(d) of the Stafford Act)

A. Duplication of Benefits. FEMA cannot provide assistance for disaster-related losses that duplicate benefits available to an applicant from another source, including insurance.

1. Before FEMA approves assistance for a property, an applicant must provide FEMA with information about any actual or anticipated insurance settlement or recovery it is entitled to for that property.
2. FEMA will reduce assistance to an applicant by the amount of its actual or anticipated insurance proceeds.
3. Applicants must take reasonable efforts to recover insurance proceeds that they are entitled to receive from their insurer(s).
- ...
5. If an applicant has an insurance requirement from a previous event:
 - a. FEMA will reduce assistance by the actual or anticipated insurance proceeds, or the amount of insurance required in the previous disaster, whichever is greater.
 - b. FEMA will only consider insolvent insurers, legal fees, or apportionment of proceeds as described in Section VII, Part 2(A)(3) and (4) when the applicant's anticipated or actual insurance proceeds are higher than the amount of insurance required in the previous disaster.

O&M Requirements

There are no Obtain and Maintain Requirements on **FAAST [Jayuya Streetlighting] (Distribution)**.

406 Mitigation

There is no additional mitigation information on **FAAST [Jayuya Streetlighting] (Distribution)**.

Environmental Historical Preservation

Is this project compliant with EHP laws, regulations, and executive orders?

Yes

EHP Conditions

- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize funding.
- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archaeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.
- Executive Order 11988 - Floodplains - Applicant must obtain any required permits from the Puerto Rico Permits Management Office (OGPe) prior to initiating work and comply with any conditions of the permit established by the Planning Board (JP) for constructions in floodplains. All coordination (emails, letters, documented phone calls) pertaining to these activities and compliance must be provided and maintained in the Applicant's permanent files.
- Executive Order 11990 - Wetlands - The Applicant shall ensure best management practices are implemented to prevent erosion and sedimentation to surrounding, nearby or adjacent wetlands. To ensure that wetlands are not adversely impacted, per the Clean Water Act and Executive Order 11990, equipment storage and staging of construction materials and machinery must be in a location that would prevent erosion and sedimentation.
- Endangered Species Act (ESA) -The below conservation measures apply to the following species: Puerto Rican parrot (*Amazona vittata*), Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*), Puerto Rican sharp-shinned hawk (*Accipiter striatus venator*) 9. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During breeding seasons (see below), nest surveys shall be conducted if a project occurs within the range of any of the species listed above and if habitat for those species will be impacted by the proposed actions. Nest searches must be conducted by qualified personnel with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER) prior to start of work. If nesting activity is detected, all construction activities or human disturbance must be avoided within a 50-meter buffer around any nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Outside the breeding season no nest surveys are required, but if a nest is encountered, all construction activities or human disturbance must be avoided within a 50-meter buffer around that nest(s). This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Furthermore, if any of the species indicated above is observed (e.g., foraging, resting) within the project area, avoid any disturbance to the individual(s) and do not flush the bird until it leaves on its own. Nesting seasons: * . Puerto Rican parrot: February-June. * . * . Puerto Rican broad-winged hawk: December-June. * . Puerto Rican sharp-shinned hawk: December-June.
- Endangered Species Act (ESA) - Conservation Measures for *Atlantea tulita* The Puerto Rican harlequin butterfly (*Atlantea tulita*) is endemic to Puerto Rico, occurring in the western portion of the island, in the northern karst region, and in the west-

central volcanic-serpentine region. The following measures apply to the Puerto Rican harlequin butterfly through its current range: a. The contractor must inform all personnel about the potential presence of the Puerto Rican harlequin butterfly and its host plant, prickly bush (*Oplonia spinosa*), in the project areas. A pre-work meeting should inform all project personnel about the need to avoid harming this butterfly and its occupied host plant. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. Educational material (e.g., posters, flyers, or signs with photos or illustrations of all the life stages of the Puerto Rican harlequin butterfly (i.e., eggs, caterpillar, chrysalids, and adult, and its host plant) should be prepared and available to all personnel for reference. b. Before starting any project activity, including removal of vegetation and earth movement, the contractor must clearly delineate the boundaries of the working area in the field to avoid unnecessary habitat impacts. Once the project areas are clearly marked, and before any work activity, including site preparation, personnel with knowledge and ability to identify the Puerto Rican harlequin butterfly (all life stages) and the prickly bush must survey the areas where the work will be performed for the presence of the species and its host plant. It is important to note that the Puerto Rican harlequin butterfly can be observed year-round in all life stages; thus, oviposition (egg-laying) may occur at any time during the year. c. If the prickly bush is present on the project site, try to avoid cutting the plant, even if no eggs, caterpillars, or chrysalids are present. d. If there is no prickly bush within the project area, but the butterfly is observed flying within the project area, do not harass, harm, pursue, wound, kill, trap, capture, collect, or attempt to engage in any such conduct, the species. e. Adult butterflies are often observed flying near the host plant as part of their mating behavior and for laying eggs. Project-related activities must stop if the prickly bush is found in the project area and the Puerto Rican harlequin butterfly is observed flying in that same area. A temporary 50-meter (164 feet) buffer zone of no activity or human disturbance should be established and clearly marked around that prickly bush until the butterfly moves out on its own. Once the Puerto Rican harlequin butterfly has moved away, within a period of 24 to 36 hours, a search of the prickly bush that has been buffered should be conducted to determine the presence of any eggs, caterpillars, or chrysalids of the butterfly on the plant. The contractor or the Applicant should send a report of the observation and its findings to caribbean_es@fws.gov after the 36-hour search is concluded. g. If, after the initial search or after the 24 to 36-hour search, any life stage of the Puerto Rican harlequin butterfly is found in the prickly bush, take the following actions: o Clearly mark the host plant with flagging tape. o Establish a 10-meter (32-foot) buffer zone around the bush for its protection. o Eggs are typically found on the prickly bush's newly grown, tender branches. Once the egg hatch, the caterpillar moves and feeds throughout the bush. Therefore, avoid cutting off the prickly bush within the project site even if no eggs, caterpillars, or chrysalids are present. o Work within the 10-meter buffered area may resume when no signs of any live life stage of the butterfly are detected, which usually takes approximately 60 to 120 days. h. For all Puerto Rican harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. Data should also include a photo of the butterfly (if possible) and the habitat where it was observed, site GPS coordinates, and comments on how the butterfly was detected and its behavior. All Puerto Rican harlequin butterfly sighting reports should be sent to the Service's Caribbean Ecological Service Field Office at caribbean_es@fws.gov. j. For questions regarding the Puerto Rican harlequin butterfly, the Point of Contacts are: o José Cruz-Burgos, Endangered Species Coordinator: -Mobile: 305-304-1386 -Office phone: 786-244-0081 -Office Direct Line: 939-320-3120 -Email: jose_cruz-burgos@fws.gov -Carlos Pacheco, Fish and Wildlife Biologist: -Mobile: 786-847-5951 -Office Direct Line: 939-320-3113 -Email: carlos_pacheco@fws.gov

- Endangered Species Act (ESA) - The Applicant must provide documentation at close-out that proves completion of required Conservation Measures.
- Endangered Species Act (ESA) - Conservation measures for *Chilabothrus inornatus* Puerto Rican boa (PR boa; *Chilabothrus inornatus*) and Virgin Islands Boa (VI boa; *Chilabothrus granti*). In 2023, the Service amended a Programmatic Biological Opinion (PBO) for the Puerto Rican boa and the Virgin Islands tree boa. The below measures are included as Terms and Conditions (T&Cs) in the amended PBO (USFWS 2023). These T&Cs shall be part of FEMA's conditions in projects where these species can occur, and a copy of the PBO should be made available to the Applicant for compliance.
 1. Inform all project personnel about the potential presence of the Puerto Rican (PR) boa and Virgin Islands (VI) boa in areas where the proposed work will be conducted and provide training on PR and VI boa identification. A pre-construction meeting will be conducted to inform all project personnel about the need to avoid harming these species. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973. An educational poster or sign with photo or illustration of these species will be displayed at the project site.
 2. Prior to any construction activity, including removal of vegetation and earth movement, the boundaries of the project area and any area to be excluded and protected will be clearly marked in the project plan and in the field to avoid further habitat degradation outside of the footprint of the project.
 3. Once areas are clearly marked, and right before the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), biologist or designated project personnel with experience on these species will survey the areas to be cleared to verify the presence of any PR or VI boa within the Action Area. If a PR or VI boa is found during the search, it should be captured and managed as per #6 below. Once the removal of vegetation begins, the biologist or designated personnel must remain at the work site and be ready to capture any boa that might be in harm's way as the result of the habitat disturbance (see #6).
 4. For VI boas, once the Action Area has been searched, vegetation will be cut about one meter above ground prior to the use of heavy machinery for land clearing. Cutting vegetation by hand will allow VI boas present on site to move away on their own to adjacent available habitat. If there is no suitable habitat adjacent to the project site, any VI boa found will be relocated

accordingly (see #6). 5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. Data will also include a photo of the animal (dead or alive), relocation site GPS coordinates, time and date of the relocation, and comments on how the animal was detected and its behavior. 6. If any PR or VI boa (dead or alive) is found within the Action Area and on harm's way, the action will stop, and information will be recorded (see #5). All attempts will be made to immediately safely capture and relocate the animal within suitable habitat (forested) at least 1 km from the Action Area and away from construction areas. PR boa relocation sites will be pre-determined before the project start and sites shared with the Service for revision and concurrence. Relocation of PR boas will be conducted by trained, designated personnel ensuring the animal is not harmed or injured during the capture and relocation process. 7. Measures will be taken to avoid and minimize PR boa and VI boa casualties by heavy machinery or motor vehicles being left in the Action Area. * Any heavy machinery left on site (staging areas) or near potential PR or VI boa habitat will be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the heavy machinery. If a PR boa or VI boa is found within vehicles or heavy machinery, boas will be safely captured accordingly. If not possible, the animal will be left alone until it leaves the vehicle or machine by itself. * The PR boa and VI boa may seek shelter within debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in new debris piles as a result of project activities. New debris piles should be placed in areas as far as possible from forested areas. Prior to moving, disposing, or shredding, debris piles should be carefully inspected for the presence of PR boas and VI boas. If debris piles will be left on site, we recommend they be placed in an undisturbed area. * In the event a PR boa and VI boa is found dead within the project area, the Federal Agency and the Recipient must contact the Service to appropriately dispose the animal. * If a PR boa or a VI boa is accidentally injured or killed during capture and relocation activities during the Action, the Federal Agency and the Recipient shall terminate the authorized activities and contact the Service within 24 hours to reinstate consultation. The Federal Agency will consult with the Service to determine whether authorized activities should continue as proposed and whether modifications are warranted. * Should the forms of take reach the amount of exempted take during the Action, the Federal Agency and the Recipient shall terminate the authorized activities and contact the Service within 24 hours to initiate consultation. The Federal Agency will consult with the Service to determine whether authorized activities should continue as proposed and whether modifications are warranted. For questions and to submit reports, the Service's Point of Contact (POC) is José Cruz-Burgos, Endangered Species Coordinator, and can be contacted at: -Mobile: 305-304-1386 -Office phone: 786-244-0081 -Office Direct Line: 939-320-3120 -Email: Caribbean_es@fws.gov or jose_cruz-burgos@fws.gov.

- Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA) - 1. The Applicant shall handle, manage, and dispose of all types of hazardous waste in accordance with requirements of local, state, and federal laws, regulations, and ordinances. In addition, the Applicant shall ensure that all debris is separated and disposed of in a manner consistent with the PR DNER guidelines at a permitted site or landfill. The contractor/applicant will be responsible for the proper disposition of construction debris in authorized landfills providing the name, location, coordinates and permits of the facility to the corresponding authorities. 2. Unusable equipment, debris, white goods, scrap metal any other material shall be disposed in approved manner and location. In the event significant items are discovered during the implementation or development of the project the Applicant shall handle, manage and dispose petroleum products, hazardous materials and toxic waste in accordance with the requirements of the local and federal agencies. Noncompliance with these requirements may jeopardize receipt of federal funds.
- National Historic Preservation Act (NHPA) - a. The Subrecipient and/or Subrecipient's contractor shall follow the Low Impact Debris Removal Stipulations (LIDRS) as stated in Appendix E of the Project-Specific Programmatic Agreement Among FEMA, the SHPO, ACHP, COR3, and PREPA (PSPA), executed on August 2, 2022. b. Unexpected Discoveries: Pursuant to Stipulation III.B of the PSPA, if, in the course of implementing this Individual Undertaking(s), previously unidentified structures, sites, buildings, objects, districts, or archaeological deposits, that may be eligible for listing in the National Register, or human remains are uncovered, or if it appears that an Individual Undertaking has affected or will affect a previously identified historic property in an unanticipated manner, the contractor must notify Subrecipient who will immediately notify the Recipient. Work must stop in the vicinity of the discovery and measures must be taken to protect the discovery and avoid additional harm. c. Additional staging areas and/or work pads within work site area haven't been identified yet. The Recipient/Subrecipient and/or private operator must provide the information of any additional staging areas or work pads for EHP evaluation as soon as available specially if any construction activity will be necessary to prepare the site(s). Information for staging areas and/or work pads confined to hardened surfaces can be provided at closeout.
- NEPA Determination - 1. All borrow or fill material must come from pre-existing stockpiles, material reclaimed from maintained roadside ditches (provided the designed width or depth of the ditch is not increased), or commercially procured material from a source existing prior to the event. For any FEMA-funded project requiring the use of a non-commercial source or a commercial source that was not permitted to operate prior to the event (e.g., a new pit, agricultural fields, road ROWs, etc.) in whole or in part, regardless of cost, the Applicant must notify FEMA and the Recipient prior to extracting material. FEMA must review the source for compliance with all applicable federal environmental planning and historic preservation laws and executive orders prior to a Sub-recipient or their contractor beginning borrow extraction. Consultation and regulatory permitting may be required. Non-compliance with this requirement may jeopardize receipt of federal funding. Documentation of borrow sources utilized is required at close-out and must include fill type (private, commercial, etc.),

name, fill site GPS coordinates (not of the company/governmental office), address, and type of material. 2. Additional staging areas and/or work pads within work site area haven't been identified yet. The Recipient/Subrecipient and/or private operator must provide the information of any additional staging areas or work pads for EHP evaluation as soon as available specially if any construction activity will be necessary to prepare the site(s). Information for staging areas and/or work pads confined to previously disturbed or hardened surfaces can be provided at close-out.

EHP Additional Info

There is no additional environmental historical preservation on **FAASt [Jayuya Streetlighting] (Distribution)**.

Final Reviews

Final Review

Reviewed By Amaro, Luis N.

Reviewed On 05/01/2024 6:34 AM PDT

Review Comments

LNA 05/01/24. This project has been reviewed, found eligible and cost reasonable and it is ready to continue the award process.

Recipient Review

Reviewed By Salgado, Gabriel

Reviewed On 05/03/2024 12:57 PM PDT

Review Comments

Recipient review completed. Applicant must ensure to compliance with all regulatory requirements and PA policy. Project is ready for applicant review.

Fixed Cost Offer

As a Public Assistance (PA) Subrecipient PR Electric Power Authority (000-UA2QU-00), in accordance with Section 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Applicant agrees to accept a permanent work subaward based on a Fixed Cost Offer in the amount of \$8,628,211.52 for subaward number 11735 under Disaster # 4339. The Applicant accepts responsibility for all costs above the Fixed Cost Offer.

The Applicant understands that by participating in this pilot program they will be reimbursed for allowable costs in accordance with 2 CFR Part 200, and the reimbursement will not exceed the Fixed Cost Offer. The Applicant also understands that by agreeing to this Fixed Cost Offer, they will not receive additional funding related to the facilities or sites included in the subaward. The Applicant also acknowledges that failure to comply with the requirements of applicable laws and regulations governing assistance provided by FEMA and the PA Alternative Procedures Pilot Program Guidance (such as procurement and contracting; environmental and historic preservation compliance; and audit and financial accountability) may lead to loss of federal funding.

Project Signatures

Signed By Miller, Thomas

Signed On 05/06/2024

Department of Homeland Security Federal Emergency Management Agency

General Info

Project #	742026	P/W #	11716	Project Type	Specialized
Project Category	F - Utilities	Applicant	PR Electric Power Authority (000-UA2QU-00)		
Project Title	FAASt [Pole and Conductor Repair - San Juan Group 2 - Phase 2] (Distribution)			Event	4339DR-PR (4339DR)
Project Size	Large	Declaration Date	9/20/2017		
Activity Completion Date	9/20/2027	Incident Start Date	9/17/2017		
Process Step	Obligated	Incident End Date	11/15/2017		

Damage Description and Dimensions

The Disaster # 4339DR, which occurred between 09/17/2017 and 11/15/2017, caused:

Damage #661700; FAASt [Pole and Conductor Repair - San Juan Group 2 - Phase 2] (Distribution)

DDD for this facility codified in the 136271 - MEPA078 Puerto Rico Electrical Power Authority Island Wide FAASt Project.

General Facility Information:

- **Facility Type:** Power generation, transmission, and distribution facilities
- **Facility:** Distribution Feeders (Monacillo 4.16kV 1330-01, 13.2 kV 1346-02, Venezuela 13.2kV 1348-06, Cachete 13.2kV 1529-15, Grana 13.2kV 1909-09)
- **Facility Description:** The specific facilities included in this project are: poles and structures (including their foundations), framing and insulators, load break switches (manual and automated), capacitor banks, voltage regulators, transformers (including lightning arresters and fuse cut-outs), conductors, guy wires, anchoring, grounding assemblies, underground cable, underground cable systems, fault interrupting equipment (fuses, reclosers, and sectionalizers), and any other associated components.
- **Approx. Year Built:** 1980
- **Start GPS Latitude/Longitude:** [REDACTED]
- **End GPS Latitude/Longitude:** [REDACTED]

General Damage Information:

- **Date Damaged:** 9/20/2017
- **Cause of Damage:** High winds & wind driven rain, caused by Cat 4 Hurricane Maria

Final Scope

661700 FAASt [Pole and Conductor Repair - San Juan Group 2 - Phase 2] (Distribution)

INTRODUCTION

The purpose of this document is to submit for approval the detailed Scope of Work ("SOW") to COR3 and FEMA for the Distribution Pole and Conductor Repair – San Juan Group 2 – Phase 2 Project under DR- 4339-PR Public Assistance. The document provides a description of the project including scope, schedule, and cost estimates as well as Environmental & Historical Preservation ("EHP") requirements and proposed 406 hazard mitigation work. LUMA Energy is seeking approval from COR3 and

FEMA for project funding to repair, restore, or replace the eligible facilities.

LUMA submits this detailed SOW pursuant to the Transmission and Distribution Operations & Maintenance Agreement between Puerto Rico Electric Power Authority ("PREPA"), the Puerto Rico Public-Private Partnerships Authority ("P3A") and LUMA Energy, and in accordance with the Consent to Federal Funding Letter issued by PREPA and P3A and provided herein as Appendix F which collectively provides the necessary consent for LUMA Energy, as agent of PREPA, to undertake work in connection with any Federal Funding requests related to the Transmission and Distribution System submitted to FEMA.

FACILITIES

The facilities listed below are part of the feeder systems in the San Juan Region. These interconnected and inter-functional distribution feeders (sites) are part of the electrical distribution system. All the feeders originate from a substation (start) and serve customers along the route to various locations (end). The coordinates shown below as "GPS End" represent the end of the mainline backbone of each feeder.

Name	Feeder Number	# Of Poles to Replace	GPS Start	GPS End	Phase	Voltage Level (kV)	Constructed Date
MONACILLO, SUB. 1330	1330-01	38	██████████ ██████████	██████████ ██████████	1 Phase	4.16	More than 20 Years
MONACILLO, SUB. 1346	1346-02	1	██████████ ██████████	██████████ ██████████	1 Phase	13.2	More than 20 Years
VENEZUELA, SUB. 1348	1348-06	3	██████████ ██████████	██████████ ██████████	1 Phase	13.2	More than 20 Years
CACHETE, SUB. 1529	1529-15	1	██████████ ██████████	██████████ ██████████	1 Phase	13.2	More than 20 Years
GRANA, SUB. 1909	1909-09	5	██████████ ██████████	██████████ ██████████	1 Phase	13.2	19 Years

PROJECT SCOPE OF WORK

Below includes a breakdown of pole replacement by feeder for "Proposed 428 Public Assistance Scope of Work" and "Proposed 406 Hazard Mitigation Grant Program Scope of Work", followed by descriptions of each work type specific to the Scope of Work for this group.

Proposed 428 Public Assistance Scope of Work:

Feeder 1330-01 Scope:

Remove	Quantity	Install	Quantity
30' WOOD	1	45FT H4 CONCRETE	1
35' WOOD	8	45FT H4 CONCRETE	8
35' WOOD	3	45FT H6 CONCRETE	3

40' WOOD	13	45FT H4 CONCRETE	13
45' WOOD	1	45FT H4 CONCRETE	1
30' WOOD	1	45FT H4 CONCRETE	1
35' WOOD	3	45FT H4 CONCRETE	3
35' WOOD	1	45FT H6 CONCRETE	1
40' WOOD	6	45FT H4 CONCRETE	6
40' WOOD	1	45FT H6 CONCRETE	1

Feeder 1346-02 Scope:

Remove	Quantity	Install	Quant
35' WOOD	1	45FT H4 CONCRETE	1

Feeder 1348-06 Scope:

Remove	Quantity	Install	Quantity
35' WOOD	3	45FT H4 CONCRETE	3

Feeder 1529-15 Scope:

Remove	Quantity	Install	Quantity
40' WOOD	1	45FT H4 CONCRETE	1

Feeder 1909-09 Scope:

Remove	Quantity	Install	Quantit
35' WOOD	1	45FT H4 CONCRETE	1
40' WOOD	4	45FT H4 CONCRETE	4

Detail Descriptions for Planned Field Work:

Pole Replacement

- Remove existing poles, including hardware and install new poles, including hardware, in the same location. If unable to install the replacement in the same location, the pole will be installed within 3 feet.
- All pole installations are to replace existing pole locations; no new locations are included in this scope of work. Refer to *Appendix J- EHP Checklist*, column C (Soil area and depth impact) for the depths of the poles to be installed.
- Remove the existing foundations as specified in *Appendix J- EHP Checklist* column I (Concrete Foundation) and replace them with a new concrete foundation bases as per *Appendix D- Distribution Construction Standards (Concrete Base Standard)*. The maximum auger width used is 42" and the maximum depth drilled is 15ft.
- New guy wire/ anchors are to be installed in compliance with *Appendix D- Distribution Construction Standards* within 3ft from the existing anchor. The maximum distance an anchor will be installed for a 50ft pole is 25ft from the base of the pole, within the right-of-way.
- Brushing will be required in locations to gain access to the pole for replacement. Brushing refers to the removal and clearing of vegetation solely to the extent that it allows crews to conduct work. The brushing of vegetation will be limited to a 15 ft radius surrounding the surface of the pole but not to exceed the width of the right-of-way for the exclusive purpose of gaining access to the pole to conduct repairs. Please see *Appendix J- EHP Checklist* column H (Brushing/Clearing), Refer to *Appendix B- Maps and Pictures* for pictures of the vegetation.
- All work for this program will be performed within the current electrical right-of-way.
- This scope of work will not affect water or sewer utility services.

Material Disposal

- PCBs, oil from the transformer and breakers, sealants, and other chemical wastes typical of a construction site are considered hazardous waste and will be disposed of by the contractor in approved facilities as per applicable local regulations. Refer to *Appendix C- Waste Management Plan*.
- The type of debris that may be found in the process of removal are luminaires, pole arms, photocells, metal scrap, wiring, concrete, steel, and wood poles, etc. The debris will be separated and taken to an approved waste disposal facility in compliance with applicable local regulations. Refer to *Appendix C- Waste Management Plan*.
- Transformers will be contained and returned to LUMA in compliance with applicable local regulations. The removal of the transformer will require testing of the existing oil for PCB levels, drain oil, and delivery to the approved waste disposal site as per Environmental Regulations. Refer to *Appendix C- Waste Management Plan*.

Access Roads

- Poles are in close proximity to the roads and are site accessible. The construction of access roads is not required for this scope of work. Refer to *Appendix J- EHP Checklist* in column G "Site Accessible".

Staging Area

- All materials are stored and dispatched from the San Juan Regional Warehouse. Refer to *Appendix L- Warehouse locations*. No additional or temporary staging areas are required.

Fill, gravel, sand, etc.:

- Fill, Gravel, and Sand materials will be obtained from an approved supplier as referenced in *Appendix A- Approved Supplier List*.

List of Equipment to be used:

- Skid Steer, Excavator, Dump trucks, Manlifts, 120-Ton Motor Crane, Boom Trucks 45-ton Crane, Zoom Boom, Air compressor, Truck Digger, Water truck, Pump Truck, Concrete Vibrator, Oil Tanker, Filtering Machine and Flatbed platform.
- Vegetation will be removed utilizing machete, chainsaw, electric pruner, telescopic pole pruner, bucket truck, and/or chipper.

Specific List of Permits Required:

- DTOP Endorsements & Municipality Notifications.
 - Excavation and Demolition Notification in Department of Transportation and Public Works Agency - (DTOP).
 - LUMA will provide proof of all permits.

PROJECT ESTIMATE

The estimated costs (Class 3 Accuracy +/-30%) to complete the project are captured in the table below. The cost estimate was developed utilizing preliminary Architectural and Engineering design information and may be subject to change. LUMA has allocated 10% of the project cost for the mitigation of potential known risks.

COST ESTIMATE		
Cost Element	428	
PLANNING		\$ 57.0
Permitting and Assessments		\$ 3.0
Environmental Documentation & Management		\$ 9.0
Engineering Services & Design		\$ 45.0
MANAGEMENT		\$ 26.0
Project Management		\$ 6.0
Construction Management		\$ 8.0
Contracting, Procurement & Contract Administration		\$ 4.0
Projects Controls (Scheduling, Estimating, Support, Cost Control, Risk Document Control & Reporting)		\$ 5.0
Legal		\$.0
Finance & Accounting		\$.0
San Juan Group 2 - Phase 2 ID: 14F019020000		\$ 912.0
material, labor and equipment		\$ 912.0
CONTINGENCY		\$ 120.0
Contingency		\$ 91.0
Escalation		\$ 27.0
Overhead		\$ 2.0
COST TOTALS		\$ 1,117.0
FAASt ALLOCATIONS	FAASt PROJECT #742026 TOTAL	\$ 1,033,375.81
	FAASt A&E # 335168 TOTAL	\$ 83,942.74

Work To Be Completed (WTBC): \$1,117,318.55

A&E Deduction (Global A&E FAASt 335168) -\$83,942.74

Project Total Cost: \$1,033,375.81

For detailed cost estimate, please refer to document labeled: 742026-DR4339PR-Appendix H - Detail Cost Estimate - San Juan Group 2 - Phase 2 Rev3

ATTACHMENTS

1. Refer to detailed SOW provided in document 742026-DR4339PR-Detailed SOW San Juan Group 2 - Phase 2 Rev3

2. For reference documents Appendix A thru L, see file labeled:

APPENDIX A - Approved Supplier List

APPENDIX B - Maps and Pictures

APPENDIX C - Waste Management Plan

APPENDIX D - Distribution Construction Standards

APPENDIX E - LUMA Wildlife Avian and Historical Protection Procedure #335

APPENDIX F - Consent to Federal Funding Letter - FEMA/COR3

APPENDIX G - Structure Coordinates

APPENDIX H - Detail Cost Estimate

APPENDIX I - PAPPG Appendix J - Cost-Effective Hazard Mitigation Measures

APPENDIX J - EHP Checklist

APPENDIX K - EHP Maps

APPENDIX L - Warehouse Locations

- 3. For EHP Requirements, refer to pages 5 to 6 of the detailed SOW and reference documents: Appendix J & K.
- 4. Architectural and Engineering (A&E) costs are deducted given previously obligated Global A&E Project for the subject FAASt PREPA work (see project: 335168 - FAASt A&E PREPA).

406 HMP Scope

Project number: 742026; FAASt [Distribution Pole and Conductor Repair – San Juan Group 2] (Distribution)

The Distribution Pole and Conductor Repair – San Juan Group 2 – Phase 2 consists of 5 interconnected and inter-functional distribution feeders (sites) establish the electrical distribution system as follow: MONACILLO, SUB. 1330-01 / MONACILLO, SUB. 1346-02 / VENEZUELA, SUB. 1348-06 GPS / CACHETE, SUB. 1529-15 / GRANA, SUB. 1909-09

Applicant: PR Electric Power Authority (000-UA2QU-00)

Location: Arecibo, Puerto Rico

MONACILLO, SUB. 1330-01 GPS [REDACTED] / MONACILLO, SUB. 1346-02 GPS [REDACTED] /
 VENEZUELA, SUB. 1348-06 GPS [REDACTED] / CACHETE, SUB. 1529-15 GPS [REDACTED] / GRANA,
 SUB. 1909-09 GPS [REDACTED]

Hazard Mitigation Narrative

During the incident period from September 17, 2017, to November 15, 2017, the Commonwealth of Puerto Rico experienced hurricane-force winds, heavy rain, flooding, and power outage "loss of power" from Hurricane Maria. The incident caused damage to the electrical system, such as the power generation plants, transmission and distribution lines, substations, communication systems, buildings, among other damages to the infrastructures owned, operated, and maintained by the Puerto Rico Electric Power Authority (PREPA).

Project #673775 (Distribution Critical Poles & Conductors Repair/Replacement).

The Distribution Pole and Conductor Repair – San Juan Group 2 – Phase 2 consists of 5 interconnected and inter-functional distribution feeders (sites) establish the electrical distribution system as follow: MONACILLO, SUB. 1330-01 / MONACILLO, SUB. 1346-02 / VENEZUELA, SUB. 1348-06 GPS / CACHETE, SUB. 1529-15 / GRANA, SUB. 1909-09

The Method of Repair (MOR) included the replacement of the damaged critical distribution poles (wood, concrete or galvanized), cross-arms, insulators, and all associated hardware needed for the new structure. According to the information provided by the Applicant, due to the high velocity hurricane winds, wind-blown debris, and prolonged heavy rain, were the main cause of the damages of the facilities.

In order to minimize the damages in a future event, the Applicant is proposing as a mitigation measure, increase the strength of the poles by increasing the wind tolerance to +160mph. Note: The FEMA Accelerated Award Strategy (FAASt) MOR included the PREPA distribution standards and specifications that were based on a 145mph sustained winds. However, the new PREPA Standard 2021 updates the design-criteria to a 160mph sustained winds resistant. The +160mph wind tolerance mitigation measure, will protect and make the affected infrastructure more resistant, stronger, and resilient to similar hazards.

Hazard Mitigation Proposal (HMP) Scope of Work:

In order to prevent or reduce future damages from similar events, the applicant proposed the following mitigation measures:

Mitigation Measures *(Replacement)*

- To avoid damage in a future event, the Applicant is proposing as a mitigation measure, increase the strength of the poles by increasing the wind tolerance of all materials to +160mph. The FAASt MOR included the PREPA distribution standards and specifications that were based on a 145mph sustained winds. However, the new PREPA Standard 2021 updates the design-criteria to a 160mph sustained winds resistant. The above mitigation measures will protect and make the affected infrastructure more resistant, stronger, and resilient to similar hazards. Refer to Appendix J: Section VI.D.1 of the PAPPG V3.1.
- [Distribution Critical Poles Replacement] 406 Mitigation Scope of Work:
 1. Feeder 1330-01 Scope: 39 EA Pole
 - Replace One (1) 30' Wood by One (1) 45Ft H4 Concrete Pole
 - Replace Eight (8) 35' Woods by Eight (8) 45Ft H4 Concrete Poles
 - Replace Three (3) 35' Woods by Three (3) 45Ft H6 Concrete Poles
 - Replace Thirteen (13) 40' Woods by Thirteen (13) 45Ft H4 Concrete Poles
 - Replace One (1) 45' Wood by One (1) 45Ft H4 Concrete Pole
 - Replace One (1) 30' Wood by One (1) 45Ft H4 Concrete Pole
 - Replace Three (3) 35' Woods by Three (3) 45Ft H4 Concrete Poles
 - Replace One (1) 35' Wood by One (1) 45Ft H6 Concrete Pole
 - Replace Six (6) 40' Woods by Six (6) 45Ft H4 Concrete Poles
 - Replace One (1) 40' Wood by One (1) 45Ft H6 Concrete Pole
 - Cross arms, insulators and all associated hardware will also be replaced along with the new structure.
 2. Feeder 1346-02 Scope: 1 EA Poles
 - Replace One (1) 35' Wood by One (1) 45Ft H4 Concrete Pole
 - Cross arms, insulators and all associated hardware will also be replaced along with the new structure.
 3. Feeder 1348-06 Scope: 3 EA Poles
 - Replace Three (3) 35' Woods by Three (3) 45Ft H4 Concrete Poles
 - Cross arms, insulators and all associated hardware will also be replaced along with the new structure.
 4. Feeder 1529-15 Scope: 1 EA Poles
 - Replace One (1) 40' Wood by One (1) 45Ft H4 Concrete Pole
 - Cross arms, insulators and all associated hardware will also be replaced along with the new structure.
 5. Feeder 1909-09 Scope: 5 EA Poles
 - Replace One (1) 35' Wood by One (1) 45Ft H4 Concrete Pole
 - Replace Four (4) 40' Woods by Four (4) 45Ft H4 Concrete Poles
 - Cross arms, insulators and all associated hardware will also be replaced along with the new structure.

Note: As indicated by the sub-applicant (LUMA) in the response "FEMA RFI - 45FT S-5.7 Galvanized Steel Pole", the shape factor for wind pressure will be different between concrete and steel poles. The shape factor of the concrete pole is 1.6 when having a square section and the shape factor of the steel pole is 1.0 when having a circular or dodecagonal section (12-sided). For example, the 45ft H4 concrete pole identified as equivalent to the 45ft S5.7 metal pole does not pass the Pole Loading Analysis (PLA) as the shape factor is 1.6 vs 1.0. For this purpose, we will be using circular or dodecagonal (12-sided) poles as a mitigation measure to meet with the new +160 mph factor.

(III) Hazard Mitigation Proposal (HMP) Cost

Total Net Hazard Mitigation Cost (Base Cost) =	\$ 68,618.00
+ HM (Applicant A&E, Management & General Conditions) =	<u>\$ 15,418.96</u>
Hazard Mitigation Total Cost =	\$ 84,035.96

(IV) HMP Cost-Effectiveness Calculations

FEMA's Benefit-Cost Analysis (BCA), methodology evaluates expected risk reduction benefits of a hazard mitigation project and compares those benefits to the cost of the mitigation project. FEMA Public Assistance Program and Policy Guide (PAPPG) Chapter 2, Section VII. C. defines cost effective mitigation as: The Hazard Mitigation Measure is cost effective through an acceptable Benefit Cost Analysis (BCA) with a resulting Benefit Cost Ratio equal to or greater than (1).

The Island Wide Benefit Cost Analysis (IWBCA) created for the PREPA infrastructure defines a maximum potential benefit using the incurred costs of the PREPA FEMA Accelerated Award Strategy (FAASt) fixed cost estimate, the mission assignments utilized for the reconnection effort, and the costs associated with loss of service. This maximum benefit has been developed to fund all mitigation projects from both Public Assistance Hazard Mitigation and the Hazard Mitigation Grant program.

It is the applicant's responsibility to maintain a record of approved IWBCA related projects to avoid running out of funds for their Mitigation portion projects.". Please see attached IWBCA Package

The cost of the Hazard Mitigation Proposal (HMP) described herein is **\$84,036.96 (Hazard Mitigation Total Cost)**. The cost of this HMP combined with all other proposals (both PA and HMGP) does not exceed the maximum potential benefit and is therefore deemed cost effective per FEMA Public Assistance Program and Policy Guide (PAPPG) V3.1 April 2018, Chapter 2, VII., Section C, BCA Rule. This Hazard Mitigation Proposal meets eligible repair and restoration cost-effective requirements.

****See Mitigation Profile Documents Tab in Grants Manager for complete version of this HMP and supporting documents (*HMP, HMP cost estimate, Supporting documents file*).**

Cost

Code	Quantity	Unit	Total Cost	Section
3510 (Engineering And Design Services (FAASt project 335168))	1.00	Lump Sum	(\$83,942.74)	Uncompleted
9201 (PAAP Fixed Estimate (No Value - Tracking Purposes Only))	1.00	Lump Sum	\$0.00	Completed
9001 (Contract (FAASt Project 136271))	1.00	Lump Sum	\$1,117,318.55	Uncompleted

CRC Gross Cost	\$1,033,375.81
Total 406 HMP Cost	\$84,035.96
Total Insurance Reductions	\$0.00
<hr/>	
CRC Net Cost	\$1,117,411.77
Federal Share (90.00%)	\$1,005,670.60
Non-Federal Share (10.00%)	\$111,741.17

Award Information

Version Information

Version #	Eligibility Status	Current Location	Bundle Number	Project Amount	Cost Share	Federal Share Obligated	Date Obligated
0	Eligible	Awarded	PA-02-PR-4339-PW-11716(15276)	\$1,117,411.77	90%	\$1,005,670.59	5/30/2024

Drawdown History

EMMIE Drawdown Status As of Date	IFMIS Obligation #	Expenditure Number	Expended Date	Expended Amount
No Records				

Obligation History

Version #	Date Obligated	Obligated Cost	Cost Share	IFMIS Status	IFMIS Obligation #
-----------	----------------	----------------	------------	--------------	--------------------

Subgrant Conditions

- As described in Title 2 Code of Federal Regulations (C.F.R.) § 200.333, financial records, supporting documents, statistical records and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three (3) years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. Exceptions are stated in 2 C.F.R. §200.333(a) – (f)(1) and (2). All records relative to this project are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster-specific costs.
- In the seeking of proposals and letting of contracts for eligible work, the Applicant/Subrecipient must comply with its Local, State (provided that the procurements conform to applicable Federal law) and Federal procurement laws, regulations, and procedures as required by FEMA Policy 2 CFR Part 200, Procurement Standards, §§ 317-326.
- The Recipient must submit its certification of the subrecipient's completion of this project, the final claim for payment, and supporting documentation within 180 days from the date that the applicant completes the scope of work, or the project deadline, whichever occurs first. FEMA reimburses Large Projects (those with costs above the large project threshold) based on the actual eligible final project costs. Therefore, during the final project reconciliation (closeout), the project may be amended to reflect the reconciliation of actual eligible costs.
- When any individual item of equipment purchased with PA funding is no longer needed, or a residual inventory of unused supplies exceeding \$5,000 remains, the subrecipient must follow the disposition requirements in Title 2 Code of Federal Regulations (C.F.R.) § 200.313-314.
- The terms of the FEMA-State Agreement are incorporated by reference into this project under the Public Assistance award and the applicant must comply with all applicable laws, regulations, policy, and guidance. This includes, among others, the Robert T. Stafford Disaster Relief and Emergency Assistance Act; Title 44 of the Code of Federal Regulations; FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide; and other applicable FEMA policy and guidance.
- The DHS Standard Terms and Conditions in effect as of the declaration date of this emergency declarations or major disaster, as applicable, are incorporated by reference into this project under the Public Assistance grant, which flow down from the Recipient to subrecipients unless a particular term or condition indicates otherwise.
- The Uniform Administrative Requirements, Cost Principles, and Audit Requirements set forth at Title 2 Code of Federal Regulations (C.F.R.) Part 200 apply to this project award under the Public Assistance grant, which flow down from the Recipient to all subrecipients unless a particular section of 2 C.F.R. Part 200, the FEMA-State Agreement, or the terms and conditions of this project award indicate otherwise. See 2 C.F.R. §§ 200.101 and 110.
- The subrecipient must submit a written request through the Recipient to FEMA before it makes a change to the approved scope of work in this project. If the subrecipient commences work associated with a change before FEMA approves the change, it will jeopardize financial assistance for this project. See FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide.
- The Subrecipient provided the estimate for this PW. FEMA validated the estimate and found it to be reasonable for the work to be performed.
- Pursuant to section 312 of the Stafford Act, 42 U.S.C. 5155, FEMA is prohibited from providing financial assistance to any entity that receives assistance from another program, insurance, or any other source for the same work. The subrecipient agrees to repay all duplicated assistance to FEMA if they receive assistance for the same work from another Federal agency, insurance, or any other source. If an subrecipient receives funding from another federal program for the same purpose, it must notify FEMA through the Recipient and return any duplicated funding.

Insurance

Additional Information

3/1/2024

GENERAL INFORMATION

Event: DR4339-PR

Project: SP 742026

Category of Work: Cat F - Utilities

Applicant: PR Electric Power Authority

Event Type: Hurricane / Hurricane Maria

Cause of Loss: Wind / Wind Driven Rain

Incident Period: 9/17/2017 to 11/15/2017

Total Public Assistance Amount: \$1,117,411.77 (CRC Gross Cost \$1,033,375.81 + Mitigation Amount \$84,035.96)

COMMERCIAL INSURANCE INFORMATION

Does the applicant have a Commercial Policy that extends coverage for this facility: Yes

Policies Issued by: Willis Towers Watson, Multinational Insurance Company and Mapfre

Policy Numbers: Willis Towers Watson (B0804Q1966F17, B0804Q14312F17, B0804Q19673F17, B0804Q19672F17, B0804Q18529F17, B0804Q14312F17, B0804Q19674F17, B0804Q18411F17, B0804Q14310F17, B0804Q11038F17, B0804Q14507F17, B0804Q14312F17)

Mapfre Praico Insurance Company (1398178000644)

Multinational Insurance Company (88-CP-000307831-2, 88-CP-000318673-0, 88-CP000318674-0, 88-CP-000318675-0, 88-CP-000318676-0, 88-CP-000318677-0)

Policy Period: From: 5/15/2017 To: 5/15/2018

Policy Limits: \$300,000,000.00

RCV or ACV: Replacement Cost Value

Deductible Amount \$25,000,000.00 each and every occurrence property damage and 30 days each and every occurrence business interruption in respect of Named Windstorm.

Does the Applicant's Commercial Policy extend coverage for the damage described in this project: No

NUMBER OF DAMAGED LOCATIONS INCLUDED IN THIS PROJECT: (1)

Damaged Inventory (DI) #661700:

FAASt [Pole and Conductor Repair - San Juan Group 2 - Phase 2] (Distribution)

Location: Distribution Feeders (Monacillo 4.16kV 1330-01, 13.2 kV 1346-02, Venezuela 13.2kV 1348-06, Cachete 13.2kV 1529-15, Grana 13.2kV 1909-09)

GPS Coordinates: Start [REDACTED] to [REDACTED] End

Cause of Loss: Wind / Wind Driven Rain

Damage Inventory Amount: \$1,117,411.77 (CRC Gross Cost \$1,033,375.81 + Mitigation Amount \$84,035.96)

-

Prior Obtain and Maintain Requirement:

No prior insurance requirements were found for this facility.

-

Reduction(s):

No insurance reduction will be applied to this project as coverage is not anticipated. An anticipated insurance reduction of \$193,746,436.00 was applied to FAAST project # 136271 for anticipated insurance proceeds for Hurricane Maria losses. For ease of reference, please see table of insurance allocations: "PREPA Allocation Plan – All Disasters" file.

-

Obtain and Maintain Requirement:

No Obtain & Maintain Requirement is being mandated for the FAAST [Pole and Conductor Repair - San Juan Group 2 - Phase 2] (Distribution) because the facility does not meet the definition of building, equipment, contents, or vehicle.

Insurance Proceeds Statement:

FEMA acknowledges that the Applicant is in negotiations with their insurance carrier at the time of the FEMA insurance review and might have received partial settlements. In accordance with 44 CFR §206.250-253, in the absence of an actual settlement, anticipated insurance recoveries will be deducted from this project based on Applicant's insurance policy limits. FEMA subsequently adjusts the eligible costs based on the actual amount of insurance proceeds the Applicant receives after a final settlement.

FEMA's Recovery Policy FP 206-086-1, Public Assistance Policy on Insurance (June 29, 2015), requires applicants to take reasonable efforts to recover insurance proceeds that it is entitled to receive from its insurers. FEMA will consider final insurance settlements that may be less than the insurance policy limits when an applicant demonstrates that it has taken reasonable efforts to recover insurance proceeds that it is entitled on a case-by-case basis.

Standard Insurance Comments

FEMA Policy 206-086-1

PART 2: Other Insurance-Related Provisions. (Sections 312 and 406(d) of the Stafford Act)

A. Duplication of Benefits. FEMA cannot provide assistance for disaster-related losses that duplicate benefits available to an applicant from another source, including insurance.

1. Before FEMA approves assistance for a property, an applicant must provide FEMA with information about any actual or anticipated insurance settlement or recovery it is entitled to for that property.
2. FEMA will reduce assistance to an applicant by the amount of its actual or anticipated insurance proceeds.
3. Applicants must take reasonable efforts to recover insurance proceeds that they are entitled to receive from their insurer(s).
- ...
5. If an applicant has an insurance requirement from a previous event:
 - a. FEMA will reduce assistance by the actual or anticipated insurance proceeds, or the amount of insurance required in the previous disaster, whichever is greater.
 - b. FEMA will only consider insolvent insurers, legal fees, or apportionment of proceeds as described in Section VII, Part 2(A)(3) and (4) when the applicant's anticipated or actual insurance proceeds are higher than the amount of insurance required in the previous disaster.

Jean-Carlo Echevarria, PA Insurance Specialist, CRC Atlantic, Guaynabo, PR

O&M Requirements

There are no Obtain and Maintain Requirements on **FAAST [Pole and Conductor Repair - San Juan Group 2 - Phase 2]**

(Distribution).

406 Mitigation

There is no additional mitigation information on **FAASt [Pole and Conductor Repair - San Juan Group 2 - Phase 2] (Distribution)**.

Environmental Historical Preservation

Is this project compliant with EHP laws, regulations, and executive orders?

Yes

EHP Conditions

- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize funding.
- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archaeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.
- Executive Order 11990 - Wetlands Condition applies to feeders 1346-02 and 1330-01: The Applicant shall ensure best management practices are implemented to prevent erosion and sedimentation to surrounding, nearby or adjacent wetlands. To ensure that wetlands are not adversely impacted, per the Clean Water Act and Executive Order 11990, equipment storage and staging of construction materials and machinery must be in a location that would prevent erosion and sedimentation.
- Endangered Species Act (ESA) - The Applicant must provide documentation at close-out that proves completion of required Conservation Measures.
- Endangered Species Act (ESA) - Puertorrican boa (*Epicrates inornatus*, aka *Chilabothrus inornatus*) - MLLA, PBO conditions apply for feeders 1348-06, 1909-09, 1330-01, 1346-02, and 1529-15. 1. Inform all project personnel about the potential presence of the Puerto Rican (PR) boa and Virgin Islands (VI) boa in areas where the proposed work will be conducted and provide training on PR and VI boa identification. A pre-construction meeting will be conducted to inform all project personnel about the need to avoid harming these species. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973. An educational poster or sign with photo or illustration of these species will be displayed at the project site. 2. Prior to any construction activity, including removal of vegetation and earth movement, the boundaries of the project area and any area to be excluded and protected will be clearly marked in the project plan and in the field to avoid further habitat degradation outside of the footprint of the project. 3. Once areas are clearly marked, and right before the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), biologist or designated project personnel with experience on these species will survey the areas to be cleared to verify the presence of any PR or VI boa within the Action Area. If a PR or VI boa is found during the search, it should be captured and managed as per #6 below. Once the removal of vegetation begins, the biologist or designated personnel must remain at the work site and be ready to capture any boa that might be in harm's way as the result of the habitat disturbance (see #6). 4. For VI boas, once the Action Area has been searched, vegetation will be cut about one meter above ground prior to the use of heavy machinery for land clearing. Cutting vegetation by hand will allow VI boas present on site to move away on their own to adjacent available habitat. If there is no suitable habitat adjacent to the project site, any VI boa found will be relocated accordingly (see #6). 5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. Data will also include a photo of the animal (dead or alive), relocation site GPS coordinates, time and date of the relocation, and comments on how the animal was detected and its behavior. 6. If any PR or VI boa (dead or alive) is found within the Action Area and on harm's way, the action will stop, and information will be recorded (see #5). All attempts will be made to immediately safely capture and relocate the animal within suitable habitat (forested) at least 1km from the Action Area and away from construction areas. PR boa relocation sites will be pre-determined before the project starts and sites shared with the Service for revision and concurrence. Relocation of PR boas will be conducted by trained, designated personnel ensuring the animal is not harmed or injured during the capture and relocation process. 7. Measures will be taken to avoid and minimize PR boa and VI boa casualties by heavy machinery or motor vehicles being left in the Action Area: *. Any heavy machinery left on site (staging areas) or near potential PR or VI boa habitat will be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the heavy machinery. If a PR boa or VI boa is found within vehicles or heavy machinery, boas will

be safely captured accordingly. If not possible, the animal will be left alone until it leaves the vehicle or machine by itself. *.The PR boa and VI boa may seek shelter within debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in new debris piles as a result of project activities. New debris piles should be placed in areas as far as possible from forested areas. Prior to moving, disposing, or shredding, debris piles should be carefully inspected for the presence of PR boas and VI boas. If debris piles will be left on site, we recommend they be placed in an undisturbed area. *.In the event a PR boa and VI boa is found dead within the project area, the Federal Agency and the Recipient must contact the Service to appropriately dispose the animal. *.If a PR boa or a VI boa is accidentally injured or killed during capture and relocation activities during the Action, the Federal Agency and the Recipient shall terminate the authorized activities and contact the Service within 24 hours to reinstate consultation. The Federal Agency will consult with the Service to determine whether authorized activities should continue as proposed and whether modifications are warranted. *.Should the forms of take reach the amount of exempted take during the Action, the Federal Agency and the Recipient shall terminate the authorized activities and contact the Service within 24 hours to reinstate consultation. The Federal Agency will consult with the Service to determine whether authorized activities should continue as proposed and whether modifications are warranted. For questions and to submit reports, the Service's Point of Contact (POC) is José Cruz-Burgos, Endangered Species Coordinator, and can be contacted at: ¿Mobile: 305-304-1386 ¿Office phone: 786-244-0081 ¿Office Direct Line: 939-320-3120 ¿ Email: Caribbean_es@fws.gov or jose_cruz-burgos@fws.gov

- National Historic Preservation Act (NHPA) - a. The Subrecipient and/or Subrecipient's contractor shall follow the Low Impact Debris Removal Stipulations (LIDRS) as stated in Appendix E of the Project Specific Programmatic Agreement Among FEMA, the SHPO, ACHP, COR3, and PREPA (PSPA), executed on August 2, 2022. b. Unexpected Discoveries: Pursuant to Stipulation III.B of the PSPA, if, in the course of implementing this Individual Undertaking(s), previously unidentified structures, sites, buildings, objects, districts, or archaeological deposits, that may be eligible for listing in the National Register, or human remains are uncovered, or if it appears that an Individual Undertaking has affected or will affect a previously identified historic property in an unanticipated manner, the contractor must notify Subrecipient who will immediately notify the Recipient. Work must stop in the vicinity of the discovery and measures must be taken to protect the discovery and avoid additional harm. c. Additional staging areas and/or work pads within work site area haven't been identified yet. The Recipient/Subrecipient and/or private operator must provide the information of any additional staging areas or work pads for EHP evaluation as soon as available specially if any construction activity will be necessary to prepare the site(s). Information for staging areas and/or work pads confined to previously disturbed or hardened surfaces can be provided at close-out.
- Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA) - 1. The Applicant shall handle, manage, and dispose of all types of hazardous waste in accordance with requirements of local, state, and federal laws, regulations, and ordinances. In addition, the Applicant shall ensure that all debris is separated and disposed of in a manner consistent with the PR DNER guidelines at a permitted site or landfill. The contractor/applicant will be responsible for the proper disposition of construction debris in authorized landfills providing the name, location, coordinates and permits of the facility to the corresponding authorities. 2. Unusable equipment, debris, white goods, scrap metal any other material shall be disposed in approved manner and location. In the event significant items are discovered during the implementation or development of the project the Applicant shall handle, manage, and dispose petroleum products, hazardous materials, and toxic waste in accordance with the requirements of the local and federal agencies. Noncompliance with these requirements may jeopardize receipt of federal funds. 3. The applicant is responsible to ensure damaged transformers are handled, managed, and disposed of in accordance with all federal and state laws and requirements. Downed electrical equipment may contain toxic and hazardous materials, such as polychlorinated biphenyls (PCBs), and may spill these materials if a rupture occurs. Applicant is responsible for screening transformers that do or may contain PCBs and the area where any related spill occurred. The applicant is then responsible to handle, manage, dispose of, or recycle damaged equipment and contaminated soil as appropriate. Where possible, temporary measures should be implemented to prevent, treat, or contain further releases or mitigate the migration of PCBs into the environment. If damaged equipment or material storage containers must be stored temporarily, containers should be placed on hardened surface areas, such as a concrete or an asphalt for no more than 90 days. Excavated contaminated material should be disposed of in accordance with federal and state laws and requirements.
- NEPA Determination - 1. Additional staging areas and/or work pads within work site area haven't been identified yet. The Recipient/Subrecipient and/or private operator must provide the information of any additional staging areas or work pads for EHP evaluation as soon as available specially if any construction activity will be necessary to prepare the site(s). Information for staging areas and/or work pads confined to hardened surfaces can be provided at close-out". 2. All borrow or fill material must come from pre-existing stockpiles, material reclaimed from maintained roadside ditches (provided the designed width or depth of the ditch is not increased), or commercially procured material from a source existing prior to the event. For any FEMA-funded project requiring the use of a non-commercial source or a commercial source that was not permitted to operate prior to the event (e.g. a new pit, agricultural fields, road ROWs, etc.) in whole or in part, regardless of cost, the Applicant must notify FEMA and the Recipient prior to extracting material. FEMA must review the source for compliance with all applicable federal environmental planning and historic preservation laws and executive orders prior to a subrecipient or their contractor commencing borrow extraction. Consultation and regulatory permitting may be required. Non-compliance with this requirement may jeopardize receipt of federal funding. Documentation of borrow sources utilized is required at closeout.

EHP Additional Info

There is no additional environmental historical preservation on **FAAST [Pole and Conductor Repair - San Juan Group 2 - Phase 2] (Distribution)**.

Final Reviews

Final Review

Reviewed By Amaro, Luis N.

Reviewed On 04/29/2024 8:35 AM PDT

Review Comments

LNA 04/29/24. This project has been reviewed, found eligible and cost reasonable, and it is ready to continue the award process.

Recipient Review

Reviewed By Salgado, Gabriel

Reviewed On 05/03/2024 12:55 PM PDT

Review Comments

Recipient review completed. Applicant must ensure to compliance with all regulatory requirements and PA policy. Project is ready for applicant review.

Fixed Cost Offer

As a Public Assistance (PA) Subrecipient PR Electric Power Authority (000-UA2QU-00), in accordance with Section 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Applicant agrees to accept a permanent work subaward based on a Fixed Cost Offer in the amount of \$1,117,411.77 for subaward number 11716 under Disaster # 4339. The Applicant accepts responsibility for all costs above the Fixed Cost Offer.

The Applicant understands that by participating in this pilot program they will be reimbursed for allowable costs in accordance with 2 CFR Part 200, and the reimbursement will not exceed the Fixed Cost Offer. The Applicant also understands that by agreeing to this Fixed Cost Offer, they will not receive additional funding related to the facilities or sites included in the subaward. The Applicant also acknowledges that failure to comply with the requirements of applicable laws and regulations governing assistance provided by FEMA and the PA Alternative Procedures Pilot Program Guidance (such as procurement and contracting; environmental and historic preservation compliance; and audit and financial accountability) may lead to loss of federal funding.

Project Signatures

Signed By Miller, Thomas

Signed On 05/03/2024