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

Jan 15, 2025

2:45 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 One FEMA Project Approval, Request for Confidential Treatment, and Supporting Memorandum of Law

# MOTION SUBMITTING ONE FEMA PROJECT APPROVAL, REQUEST FOR CONFIDENTIAL TREATMENT AND SUPPORTING MEMORANDUM OF LAW

# TO THE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC, and LUMA Energy ServCo, LLC, (jointly referred

to as "LUMA"), through the undersigned legal counsel and, respectfully submits the following:

# I. Submittal of One FEMA Project Approval 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 26<sup>th</sup> Order"). It also directed PREPA to continue reporting to the Energy Bureau and FEMA, within the next five years, 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.

NEPR

Received:

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 Scopes of Work ("August 30<sup>th</sup> Motion"). In the August 30<sup>th</sup> 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. Among the twenty-nine SOWs, LUMA submitted the "Distribution Pole and Conductor Replacement" SOW, which encompassed pole and conductor replacement projects throughout Puerto Rico.

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 22<sup>nd</sup> Order"). Therefore, it approved most of the projects presented in the August 30<sup>th</sup> Motion, including the "Distribution Pole and Conductor Replacement" SOW. 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.

4. As shown in Exhibit 1 of the Motion filed on January 24, 2022, *Motion Submitting Updates List of Transmission and Distribution Projects and Three Scopes of Work*, and most recently in Exhibit 5 of the Motion filed on July 31, 2024, *Motion Submitting Three Amended Scopes of Work, and One Scope of Work, an Updated Project List, and Request for Confidentiality and Supporting Memorandum of Law*, the "Distribution Pole and Conductor Replacement" SOW is divided into individual projects per region, which includes the "FAASt [Pole and Conductor Repair - Arecibo Group 1 - Phase 2] (Distribution)" T&D Project. 5. In compliance with the September 22<sup>nd</sup> Order, LUMA hereby submits a copy of the approval by FEMA issued on January 7, 2025, of the "FAASt [Pole and Conductor Repair - Arecibo Group 1 - Phase 2] (Distribution) T&D Project.<sup>1</sup> *See* Exhibit 1<sup>2</sup> to this Motion. The document contains FEMA's approval and includes the costs obligated for each Project.

6. LUMA is submitting herein a redacted public version of the FEMA approval (**Exhibit 1**) protecting confidential information associated with Critical Energy Infrastructure Information ("CEII"). As explained in this Motion, portions of the FEMA approval 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. 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

7. 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,

<sup>&</sup>lt;sup>1</sup> 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.

<sup>&</sup>lt;sup>2</sup> Please note that **Exhibit 1** has digitalization and table format issues, which are 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).

8. 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).

9. 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.

10. Moreover, the Energy Bureau's Policy on Management of Confidential Information details the procedures 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  $\mathbb{P}$  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  $\mathbb{P}$  6.

11. 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).

12. 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

13. The FEMA approval included in **Exhibit 1** contains portions of CEII that, under relevant federal law and regulations, are protected from public disclosure. LUMA stresses that the FEMA approval with CEII warrants 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.<sup>3</sup> In at least two Data Security and Physical Security proceedings,<sup>4</sup> this Energy Bureau, *motu proprio*, has conducted proceedings confidentially, thereby recognizing the need to protect CEII from public disclosure.

14. 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

<sup>&</sup>lt;sup>3</sup> 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 Minigrid 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).

<sup>&</sup>lt;sup>4</sup> 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 System Remediation Plan, table 2 at pages 7-9, Case No. NEPR-MI-2020-0019.

15. 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.

16. 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.

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17. 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.

18. 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.

19. 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").<sup>5</sup>

<sup>&</sup>lt;sup>5</sup> Regarding protection of voluntary disclosures of critical infrastructure information, 6 U.S.C. § 673, provides in pertinent part, that CII:

<sup>(</sup>A) shall be exempt from disclosure under the Freedom of Information Act;

<sup>(</sup>B) shall not be subject to any agency rules or judicial doctrine regarding ex parte communications with a decision-making official;

<sup>(</sup>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).<sup>6</sup>

20. Portions of the FEMA approval in **Exhibit 1** qualify as CEII because they contain the <u>express</u> coordinates and physical addresses to power transmission and distribution facilities (18 C.F.R. § 388.113(iv)), and these specific coordinates and addresses could potentially be helpful

(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.

<sup>6</sup> 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.

<sup>(</sup>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—

<sup>(</sup>i) in furtherance of an investigation or the prosecution of a criminal act; or

<sup>(</sup>ii) when disclosure of the information would be--

<sup>(</sup>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

<sup>(</sup>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

 <sup>(</sup>E) shall not, be provided to a State or local government or government agency; of information or records;

<sup>(</sup>i) be made available pursuant to any State or local law requiring disclosure of information or records;

<sup>(</sup>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

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 approval with CEII in **Exhibit 1** from disclosure, given the nature and scope of the details included in those portions of the Exhibit.

21. Based on the above, LUMA respectfully submits that portions of the FEMA approval 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 approval 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

22. 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 approval for which we present this request for confidential treatment.

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| Document  | Name   | Pages in which<br>Confidential<br>Information is<br>Found, if<br>applicable | Summary of<br>Legal Basis for<br>Confidentiality<br>Protection, if<br>applicable                      | Date Filed       |
|-----------|--|---|---|------------------|
| Exhibit 1 | FAASt [Pole and<br>Conductor Repair -<br>Arecibo Group 1 -<br>Phase 2]<br>(Distribution) | Pages 1, 4, and 11.   | Critical Energy<br>Infrastructure<br>Information, 18<br>C.F.R. § 388.113;<br>6 U.S.C. §§ 671-<br>674. | January 15, 2025 |

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **accept** the copy of the FEMA approval 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 15<sup>th</sup> day of January 2025.



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# <u>Exhibit 1</u>

One (1) FEMA Approval

### Department of Homeland Security Federal Emergency Management Agency

| General | Info |
|---------|------|
|         |      |

| Project #        | 710099 <b>P/W#</b> 11667                  | Project Type        | Specialized                             |
|------------------|---|---------------------|---|
| Project Category | F - Utilities                             | Applicant           | PR Electric Power Authority (000-UA2QU- |
| Project Title    | EAASt IPole and Conductor Renair -        |                     | 00)                                     |
|                  | Arecibo Group 1 - Phase 2] (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 #1309798; FAASt [Distribution Pole and Conductor Repair - Arecibo Group 1 - 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 Pole and Conductor Repair Arecibo Group 1 Phase 2
- Facility Description: The facilities listed below are part of the feeder systems in the Arecibo Region. These interconnected and inter-functional distribution feeders (sites) establish the electrical distribution system. The feeders all originate from a substation (start) and serve customers along a route to various locations (end). The coordinates represented by GPS end is the end of the mainline backbone of each feeder. These feeders are a subset of projects identified in the Distribution Feeders Arecibo Short Term projects in the PREPA 10-Year Infrastructure Plan. 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 lighting arresters and fuse cut-outs), conductors, guy wires, anchoring, grounding assemblies, underground cable, underground cable systems, fault interrupting equipment (fuses, reclosers, and sectionalizes), and any other associated components.
- Approx. Year Built: 1980

| Approx. real Dunc. 1900          |                                  |           |       |                                       |
|----------------------------------|----------------------------------|-----------|-------|---------------------------------------|
| Location Description: DOMINGUITO | D, SUB. 8010 8010-01 START: 1    | END:      | MANAT | I, SUB. 8404 8404-03 START:           |
| END:                             | MANATI, SUB. 8404 8404-04 START: | END:      | C     | RUCE DAVILA, SUB. 8501 8501-02 START: |
| END:                             | CIALES, SUB. 8701 8701-          | 01 START: | END:  | CIALES, SUB. 8701 8701-02 START:      |
| END:                             |                                  |           | _     |                                       |
|                                  |                                  |           |       |                                       |

### General Damage Information:

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

### **Final Scope**

# I309798 FAASt [Distribution Pole and Conductor Repair - Arecibo Group 1 - 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 – Arecibo Group 1 – 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 ("PA") 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 Arecibo 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<br>Replace | GPS Start | GPS End | Phase   | Voltage Level (kV) | Constructed Date   |
|-------------------------|---------------|--------------------------|-----------|---------|---------|--------------------|--------------------|
| DOMINGUITO, SUB. 8010   | 8010-01       | 96                       |           |         | 1 Phase | 7.2                | Less than 20 Years |
| MANATI, SUB.<br>8404    | 8404-03       | 45                       |           |         | 1 Phase | 13.2               | More than 20 Years |
| MANATI, SUB.<br>8404    | 8404-04       | 34                       |           |         | 1 Phase | 13.2               | More than 20 Years |
| CRUCE DAVILA, SUB. 8501 | 8501-02       | 34                       |           |         | 1 Phase | 4.16               | Morethan 20 Years  |
| CIALES, SUB.<br>8701    | 8701-01       | 99                       |           |         | 1 Phase | 8.32               | Morethan 20 Years  |
| CIALES, SUB.<br>8701    | 8701-02       | 8                        |           |         | 1 Phase | 8.32               | More than 20 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

### Proposed 428 Public Assistance Scope of Work:

Feeder 8010-01 Scope:

| Remove            | Quantity | Install                    | Quantity |
|-------------------|----------|----------------------------|----------|
| 30' WOOD POLE     | 1        | 45FT H4 CONCRETE           | 1        |
| 35' WOOD POLE     | 41       | 45FT H4 CONCRETE           | 41       |
| 35' WOOD POLE     | 9        | 45FT H6 CONCRETE           | 9        |
| 35' WOOD POLE     | 2        | 45FT S3 GALVANIZED STEEL   | 2        |
| 35' WOOD POLE     | 3        | 50FT H4 CONCRETE POLE      | 3        |
| 35' WOOD POLE     | 3        | 50FT H6 CONCRETE POLE      | 3        |
| 35' WOOD POLE     | 1        | 45FT H4 CONCRETE           | 1        |
| 35' WOOD POLE     | 4        | 50FT H4 CONCRETE POLE      | 4        |
| 35' WOOD POLE     | 5        | 50FT H6 CONCRETE POLE      | 5        |
| 40' WOOD POLE     | 10       | 45FT H4 CONCRETE           | 10       |
| 40' WOOD POLE     | 5        | 45FT H6 CONCRETE           | 5        |
| 40' WOOD POLE     | 1        | 45FT S5.7 GALVANIZED STEEL | 1        |
| 40' WOOD POLE     | 1        | 50FT H4 CONCRETE POLE      | 1        |
| 40' CONCRETE POLE | 3        | 45FT H4 CONCRETE           | 3        |
| 40' STEEL POLE    | 1        | 45FT H6 CONCRETE           | 1        |
| 45' WOOD POLE     | 1        | 45FT H4 CONCRETE           | 1        |
| 45' WOOD POLE     | 1        | 45FT H6 CONCRETE           | 1        |
| 45' WOOD POLE     | 1        | 50FT H4 CONCRETE POLE      | 1        |
| 45' CONCRETE POLE | 1        | 50FT H4 CONCRETE POLE      | 1        |
| 45' STEEL POLE    | 1        | 45FT H4 CONCRETE           | 1        |
| 60' WOOD POLE     | 1        | 45FT H4 CONCRETE           | 1        |

### Feeder 8404-03 Scope:

| Remove            | Quantity | Install                  | Quantity |
|-------------------|----------|--------------------------|----------|
| 35' WOOD POLE     | 19       | 45FT H4 CONCRETE         | 19       |
| 35' WOOD POLE     | 6        | 45FT H6 CONCRETE         | 6        |
| 35' WOOD POLE     | 1        | 50FT H4 CONCRETE POLE    | 1        |
| 35' WOOD POLE     | 1        | 50FT H6 CONCRETE POLE    | 1        |
| 35' CONCRETE POLE | 1        | 45FT H4 CONCRETE         | 1        |
| 40' WOOD POLE     | 2        | 45FT H4 CONCRETE         | 2        |
| 40' WOOD POLE     | 1        | 50FT H6 CONCRETE POLE    | 1        |
| 40' CONCRETE POLE | 8        | 45FT H4 CONCRETE         | 8        |
| 40' CONCRETE POLE | 1        | 45FT H6 CONCRETE         | 1        |
| 40' CONCRETE POLE | 2        | 45FT S3 GALVANIZED STEEL | 2        |
| 40' CONCRETE POLE | 1        | 50FT H4 CONCRETE POLE    | 1        |
| 50' WOOD POLE     | 1        | 50FT H4 CONCRETE POLE    | 1        |
| 50' WOOD POLE     | 1        | 50ET H6 CONCRETE POLE    | 1        |

### Feeder 8404-04 Scope:

| Remove            | Quantity | Install                  | Quantity |
|-------------------|----------|--------------------------|----------|
| 30' WOOD POLE     | 2        | 45FT H4 CONCRETE         | 2        |
| 35' WOOD POLE     | 20       | 45FT H4 CONCRETE         | 20       |
| 35' WOOD POLE     | 2        | 45FT H6 CONCRETE         | 2        |
| 35' WOOD POLE     | 3        | 45FT S3 GALVANIZED STEEL | 3        |
| 40' WOOD POLE     | 3        | 45FT H4 CONCRETE         | 3        |
| 40' WOOD POLE     | 1        | 45FT S3 GALVANIZED STEEL | 1        |
| 40' CONCRETE POLE | 1        | 45FT H4 CONCRETE         | 1        |
| 45' WOOD POLE     | 1        | 45FT H4 CONCRETE         | 1        |
| 45' CONCRETE POLE | 1        | 45FT H6 CONCRETE         | 1        |

### Feeder 8501-02 Scope:

| Remove        | Quantity | Install                    | Quantity |
|---------------|----------|----------------------------|----------|
| 30' WOOD POLE | 1        | 45FT H4 CONCRETE           | 1        |
| 35' WOOD POLE | 22       | 45FT H4 CONCRETE           | 22       |
| 35' WOOD POLE | 5        | 45FT H6 CONCRETE           | 5        |
| 35' WOOD POLE | 1        | 50FT H4 CONCRETE POLE      | 1        |
| 35' WOOD POLE | 1        | 50FT H4 CONCRETE POLE      | 1        |
| 35' WOOD POLE | 1        | 50FT H6 CONCRETE POLE      | 1        |
| 35' WOOD POLE | 1        | 45FT S5.7 GALVANIZED STEEL | 1        |
| 35' WOOD POLE | 1        | 50FT S8 GALVANIZED STEEL   | 1        |
| 40' WOOD POLE | 1        | 45FT H4 CONCRETE           | 1        |

### Feeder 8701-01 Scope:

| Remove        | Quantity | Install                  | Quantity |
|---------------|----------|--------------------------|----------|
| 30' WOOD POLE | 4        | 45FT H4 CONCRETE         | 4        |
| 30' WOOD POLE | 1        | 45FT S3 GALVANIZED STEEL | 1        |
| 35' WOOD POLE | 52       | 45FT H4 CONCRETE         | 52       |

| 35' WOOD POLE  | 5  | 45FT H6 CONCRETE           | 5  |
|----------------|----|----------------------------|----|
| 35' WOOD POLE  | 1  | 45FT S5.7 GALVANIZED STEEL | 1  |
| 40' WOOD POLE  | 24 | 45FT H4 CONCRETE           | 24 |
| 40' WOOD POLE  | 2  | 45FT H6 CONCRETE           | 2  |
| 40' WOOD POLE  | 1  | 45FT H4 CONCRETE           | 1  |
| 40' WOOD POLE  | 1  | 50FT H6 CONCRETE POLE      | 1  |
| 40' STEEL POLE | 1  | 45FT H4 CONCRETE           | 1  |
| 45' WOOD POLE  | 2  | 45FT H4 CONCRETE           | 2  |
| 45' STEEL POLE | 4  | 45FT H4 CONCRETE           | 4  |
| 45' STEEL POLE | 1  | 45FT S3 GALVANIZED STEEL   | 1  |

#### Feeder 8701-02 Scope:

| Remove         | Quantity | Install               | Quantity |
|----------------|----------|-----------------------|----------|
| 35FT WOOD POLE | 7        | 45FT H4 CONCRETE POLE | 7        |
| 45FT WOOD POLE | 1        | 45FT H4 CONCRETE POLE | 1        |

#### Detail Descriptions for Planned Field Work:

#### Pole Replacement

- Remove existing poles, including hardware and install new poles, including hardware, in the sam location. If unable to install the replacement in the same location, the pole will be installed within 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*

- Net note the existing dottaction is as per units as the interpret of the open states of the open states as per Appendix D. Distribution Construction Standards (Concrete Base Standard). The maximum addition of the open states as per Appendix D. Distribution Construction Standards (Concrete Base Standard). The maximum addition of the open states as per Appendix D. Distribution Construction Standards (Concrete Base Standard). The maximum addition of the open states are to be installed in a compliance with Appendix D. Distribution Construction Standards within 3th from the existing anchors are to be installed in a compliance with Appendix D. Distribution Construction Standards within 3th from the existing anchors. The maximum distribution and the existing anchors are to be installed for a compliance with Appendix D. Distribution Construction Standards within 3th from the existing anchors. The maximum distribution Construction Standards within 3th from the existing anchors. The maximum distribution Construction Standards within 3th from the existing anchors. The maximum distribution Construction Standards within 3th from the existing anchors. The maximum distribution Construction Standards within 3th from the existing anchors. The maximum distribution Construction Standards 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 drawy 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 for 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 sites 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 Arecibo 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.

Proposed 406 Hazard Mitigation Grant Program Scope of Work (Refer to 406 Mitigation Profile):

### **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 428 406   |                 |               |                 |  |  |  |  |
| NNG  | \$ 382,581.72   | \$ 11,832.42  | \$ 394,414.15   |  |  |  |  |
| Permitting and Assessments   | \$ 26,691.75    | \$ 825.52     | \$ 27,517.27    |  |  |  |  |
| Environmental Documentation & Management   | \$ 59,315.00    | \$ 1,834.48   | \$ 61,149.48    |  |  |  |  |
| Engineering Services & Design  | \$ 296,574.98   | \$ 9,172.42   | \$ 305,747.08   |  |  |  |  |
| AGEMENT  | \$ 219,465.48   | \$ 6,787.59   | \$ 226,253.08   |  |  |  |  |
| Project Management   | \$ 47,452.00    | \$ 1,467.59   | \$ 48,919.58    |  |  |  |  |
| Construction Management  | \$ 88,972.49    | \$ 2,751.73   | \$ 91,724.22    |  |  |  |  |
| Contracting, Procurement & Contract Administration   | \$ 35,589.00    | \$ 1,100.69   | \$ 36,689.69    |  |  |  |  |
| Projects Controls (Scheduling, Estimating, Support, Cost<br>Control, Risk, Document Control & Reporting) | \$ 35,589.00    | \$ 1,100.69   | \$ 36,689.69    |  |  |  |  |
| Legal  | \$ 5,931.50     | \$ 183.45     | \$ 6,114.95     |  |  |  |  |
| Finance & Accounting   | \$ 5,931.50     | \$ 183.45     | \$ 6,114.95     |  |  |  |  |
| ibo Group 1 - Phase 2 ID: 14F016530000   | \$ 5,918,498.00 | \$ 196,450.00 | \$ 6,114,948.00 |  |  |  |  |
| material, labor and equipment  | \$ 5,918,498.00 | \$ 196,450.00 | \$ 6,114,948.00 |  |  |  |  |
| TINGENCY   | \$ 785,923.69   | \$ 24,306.92  | \$ 810,230.61   |  |  |  |  |

| Contingency    | \$ 593,149.96                     | \$ 18,344.84    | \$ 611,494.80   |
|----------------|-----------------------------------|-----------------|-----------------|
| Escalation     | \$ 177,944.99                     | \$ 5,503.45     | \$ 183,448.44   |
| Overhead       | \$ 14,828.75                      | \$ 458.62       | \$ 15,287.37    |
| TOTALS         | \$ 7,306,468.90                   | \$ 239,376.93   | \$ 7,545,845.83 |
| CTIONS         | TOTAL INSURANCE PROCEEDS RECEIVED |                 |                 |
|                |                                   |                 |                 |
| * ALL OCATIONS | FAASt PROJECT # 710099 TOTAL      | \$ 6,943,798.63 |                 |
|                | FAASt A&E# 335168 TOTAL           | \$ 602,047.21   |                 |

Work To Be Completed (WTBC): \$7,306,468.90

A&E Deduction (Global A&E FAASt 335168) -\$602,047.21

Project Total Cost: \$6,704,421.69

#### **ATTACHMENTS**

APPENDIXA - 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

### Project Notes:

- 1. Refer to detailed SOW provided in document labeled: "710099-DR4339PR-Detailed SOW Arecibo Group 1 Phase 2 Rev5.pdf".
- 2. For reference documents Appendix A thru L.
- 3. This project is part of a FAAST project, please reference project 136271.
- 4. For detailed cost estimate, please refers to document labeled: "710099-DR4339PR-Appendix H Detail Cost Estimate Arecibo Group 1 Phase 2 Rev3.xlsx".
- 5. For EHP Requirements, refer to pages 7 to 8 of the detailed SOW and reference documents: Appendix J & K.
- 6. 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: 710099; FAASt [Distribution Pole and Conductor Repair - Arecibo Group 1] (Distribution)

Damage #1309798; FAASt [Pole and Conductor Repair - Arecibo Group 1 – Phase 2 consists of 6 interconnected and inter-functional distribution feeders (sites) establish the electrical distribution system as follow: Arecibo Group 1 . Dominguito, Sub. 8010 Feeder 8010-01 Manati, SUB. 8404 Feeder 8404-03 Manati, Sub. 8404 Feeder 8404-04 Cruce Davila, Sub. 8501 Feeder 8501-02 Ciales, Sub. 8701 Feeder 8701-01 Ciales, Sub. 8701 Feeder 8701-02 Ciales, Sub. 8701 Feeder 8701-01 Ciales, Sub. 8701 Feeder 8701-02 Ciales, Sub. 8701 Feede

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

| Location: Arecibo, Puerto Rico  |      |  |             |   |
|---|------|--|-------------|---|
| GPS Latitude/Longitude: DOMINGUITO, SUB. 8010 8010-01 START:<br>END:<br>START:<br>END:<br>END:<br>END:<br>END:<br>END:<br>END:<br>END:<br>END | END: | MANATI, SUB. 8404 8404-03 START:<br>END:<br>CIALES, SUB. 8701 8701-01 START: | END:<br>END | MANATI, SUB. 8404 8404-04 START:<br>CIALES, SUB. 8701 8701-02 |

#### 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 - Arecibo Group 1 - Phase 2 consists of 6 interconnected and inter-functional distribution feeders (sites) establish the electrical distribution system as follow: Arecibo Group 1 . Dominguito, Sub. 8010 Feeder 8010-01 Manati, SUB. 8404 Feeder 8404-03 Manati, Sub. 8404 Feeder 8404-04 Cruce Davila, Sub. 8501 Feeder 8501-02 Ciales, Sub. 8701 Feeder 8701-01 Ciales, Sub. 8701 Feeder 8701-02.

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 Works

- Feeder 8010-01 Scope: 96 EA Pole
  - Replace One (1) 45Ft H4 Concrete Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
  - Replace Forty-One (41) 45Ft H4 Concrete Poles by Forty-One (41) 45Ft S5.7 Galvanized Steel Poles
  - Replace Nine (9) 45Ft H6 Concrete Poles by Nine (9) 45Ft S5.7 Galvanized Steel Poles
  - Replace Two (2) 45Ft S3 Galvanized Steel Poles by Two (2) 45Ft S5.7 Galvanized Steel Poles
  - Replace Three (3) 50Ft H4 Concrete Poles by Three (3) 45Ft S5.7 Galvanized Steel Poles.
    - Note: The 45' Galvanized steel S5.7 pole cost is less than the 50' H4 concrete pole. In these cases, the Mitigation is accomplished by the 428 PA method of repair (MOR).
  - Replace Three (3) 50Ft H6 Concrete Poles by Three (3) 45Ft 55.7 Galvanized Steel Poles. No 406 Hazard Mitigation work identified to replace (3) 50' H6 concrete pole.

Note: The 45' Galvanized steel S5.7 pole cost is less than the 45' H6 concrete pole. In these cases, the Mitigation is accomplished by the 428 PA method of repair (MOR).

- Replace One (1) 45Ft H4 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Replace Four (4) 50Ft H4 Concrete Poles by Four (4) 50Ft S8 Galvanized Steel Poles
- Replace Five (5) 50Ft H6 Concrete Poles by Five (5) 50Ft S8 Galvanized Steel Poles
- Replace Ten (10) 45Ft H4 Concrete Poles by Ten (10) 45Ft S5.7 Galvanized Steel Poles
- Replace Five (5) 45Ft H6 Concrete Poles by Five (5) 45Ft S5.7 Galvanized Steel Poles
  - Note: The 45' Galvanized steel S5.7 pole cost is less than the 45' H6 concrete pole. In these cases, the Mitigation is accomplished by the 428 PA method of repair (MOR).
- Replace One (1) 50Ft H4 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Replace Three (3) 45Ft H4 Concrete Poles by Three (3) 45Ft S5.7 Galvanized Steel Poles
- Replace One (1) 45Ft H6 Concrete Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
  - Note: The 45' Galvanized steel S5.7 pole cost is less than the 45' H6 concrete pole. In these cases, the Mitigation is accomplished by the 428 PA method of repair (MOR).
- Replace One (1) 45Ft H4 Concrete Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
- Replace One (1) 45Ft H6 Concrete Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
  - Note: The 45' Galvanized steel S5.7 pole cost is less than the 45' H6 concrete pole. In these cases, the Mitigation is accomplished by the 428 PA method of repair (MOR).
- Replace One (1) 50Ft H4 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Replace One (1) 50Ft H4 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Replace One (1) 45Ft H4 Concrete Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
- Replace One (1) 45Ft H4 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
  - No 406 Hazard Mitigation work identified to replace one (1) 45' Galvanized steel S5.7 poles. In these cases, the Mitigation is accomplished by 428 PA method of repair (MOR).

#### <u>Feeder 8404-03 Scope: 45 EA Poles</u>

- Replace Nineteen (19) 45Ft H4 Concrete Poles by Nineteen (19) 45Ft S5.7 Galvanized Steel Poles
- Replace Six (6) 45Ft H6 Concrete Poles by Six (6) 45Ft S5.7 Galvanized Steel Poles.
  - Note: The 45' Galvanized steel S5.7 pole cost is less than the 45' H6 concrete pole. In these cases, the Mitigation is accomplished by the 428 PA method of repair (MOR).
- Replace One (1) 50Ft H4 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Replace One (1) 50Ft H6 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Replace One (1) 45Ft H4 Concrete Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
- Replace Two (2) 45Ft H4 Concrete Poles by Two (2) 45Ft S5.7 Galvanized Steel Poles
- Replace One (1) 50Ft H6 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Replace Eight (8) 45Ft H4 Concrete Poles by Eight (8) 45Ft S5.7 Galvanized Steel Poles
- Replace One (1) 45Ft H6 Concrete Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
  - Note: The 45' Galvanized steel S5.7 pole cost is less than the 45' H6 concrete pole. In these cases, the Mitigation is accomplished by the 428 PA method of repair (MOR).
- Replace Two (2) 45Ft S3 Galvanized Steel Poles by Two (2) 45Ft S5.7 Galvanized Steel Poles
- Replace One (1) 50Ft H4 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Replace One (1) 50Ft H4 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Replace One (1) 50Ft H6 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole

#### Feeder 8404-04 Scope: 34 EA Poles

- Replace Two (2) 45Ft H4 Concrete Poles by Two (2) 45Ft S5.7 Galvanized Steel Poles
- Replace Twenty (20) 45Ft H4 Concrete Poles by Twenty (20) 45Ft S5.7 Galvanized Steel Poles
- Replace Two (2) 45Ft H6 Concrete Poles by Two (2) 45Ft S5.7 Galvanized Steel Poles

• Note: The 45' Galvanized steel S5.7 pole cost is less than the 45' H6 concrete pole. In these cases, the Mitigation is accomplished by the 428 PA method of repair (MOR).place Three (3) 45Ft S3 Galvanized Steel Poles by Three (3) 45Ft S5.7 Galvanized Steel Poles

- Replace Three (3) 45Ft H4 Concrete Poles by Three (3) 45Ft S5.7 Galvanized Steel Poles
- Replace One (1) 45Ft S3 Galvanized Steel Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
- Replace One (1) 45Ft H4 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Replace One (1) 45Ft H4 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Replace One (1) 45Ft H6 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole

#### Feeder 8501-02 Scope: 34 EA Poles

- Replace One (1) 45Ft H4 Concrete Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
- Replace Twenty-Two (22) 45Ft H4 Concrete Poles by Twenty-Two (22) 45Ft S5.7 Galvanized Steel Poles
- Replace Five (5) 45Ft H6 Concrete Poles by Five (5) 45Ft S5.7 Galvanized Steel Poles
  - Note: The 45' Galvanized steel S5.7 pole cost is less than the 45' H6 concrete pole. In these cases, the Mitigation is accomplished by the 428 PA method of repair (MOR).
- Replace One (1) 50Ft H4 Concrete Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
  - Note: The 45' Galvanized steel S5.7 pole cost is less than the 50' H4 concrete pole. In these cases, the Mitigation is accomplished by the 428 PA method of repair (MOR).
- Replace One (1) 50Ft H4 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole.
- Note: In these cases, the Mitigation is accomplished by 428 PA method of repair (MOR).
- Replace One (1) 50Ft H6 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Note: In these cases, the Mitigation is accomplished by 428 PA method of repair (MOR).
- Replace One (1) 45Ft H4 Concrete Pole by One (1) 45Ft S5.7 Galvanized Steel Pole

#### Feeder 8701-01 Scope: 99 EA Poles

- Replace Four (4) 45Ft H4 Concrete Poles by Four (4) 45Ft S5.7 Galvanized Steel Poles
- Replace One (1) 45Ft S3 Galvanized Steel Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
- Replace Fifty-Two (52) 45Ft H4 Concrete Poles by Fifty-Two (52) 45Ft S5.7 Galvanized Steel Poles
- Replace Five (5) 45Ft H6 Concrete Poles by Five (5) 45Ft S5.7 Galvanized Steel Poles

Note: The 45' Galvanized steel S5.7 pole cost is less than the 45' H6 concrete pole. In these cases, the Mitigation is accomplished by the 428 PA method of repair (MOR).

- Replace Twenty-Four (24) 45Ft H4 Concrete Poles by Twenty-Four (24) 45Ft S5.7 Galvanized Steel Poles
- Replace Two (2) 45Ft H6 Concrete Poles by Two (2) 45Ft S5.7 Galvanized Steel Poles
- Note: The 45' Galvanized steel S5.7 pole cost is less than the 45' H6 concrete pole. In these cases, the Mitigation is accomplished by the 428 PA method of repair (MOR).
- Replace One (1) 45Ft H4 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole
- Replace One (1) 50Ft H6 Concrete Pole by One (1) 50Ft S8 Galvanized Steel Pole.
- Note: In these cases, the Mitigation is accomplished by 428 PA method of repair (MOR).
- Replace One (1) 45Ft H4 Concrete Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
- Replace Four (4) 45Ft H4 Concrete Poles by Four (4) 45Ft S5.7 Galvanized Steel Poles
- Replace One (1) 45Ft S3 Galvanized Steel Pole by One (1) 45Ft S5.7 Galvanized Steel Pole
- Replace Two (2) 45Ft H4 Concrete Poles by Two (2) 45Ft S5.7 Galvanized Steel Poles

### <u>Feeder 8701-02 Scope: 8 EA Poles</u>

Replace Eight (8) 45Ft H4 Concrete Poles by Eight (8) 45Ft S5.7 Galvanized Steel Poles

#### Hazard Mitigation Proposal (HMP) Cost:

| Total Net Hazard Mitigation Cost (Base Cost) =          | \$ 196,450.00       |
|---|---------------------|
| + HM (Applicant A&E, Management & General Conditions) = | <u>\$ 42,926.93</u> |
| Hazard Mitigation Total Cost =                          | \$239,376.93        |

Note: As indicated by the sub-applicant (LUMA) in the response \*FEMA RFI - 45FT S-5.7 Galvanized Steel Pole<sup>\*</sup>, 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.

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 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 \$239,376.93 (Hazard Mitigation Total Cost). The cost of this HMP combined will 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).

| Code   | Quantity | Unit     | Total Cost     | Section     |
|--|----------|----------|----------------|-------------|
| 3510 (v0 Engineering and Design Services, Deduction - PREPA FAASt Global A&E 335168) | 1.00     | Lump Sum | (\$602,047.21) | Uncompleted |
| 9201 (PAAP Fixed Estimate (No Value - Tracking Purposes Only))                       | 1.00     | Lump Sum | \$0.00         | Completed   |
| 9001 (v0 Contract - PREPA FAASt Donor Project 136271)                                | 1.00     | Lump Sum | \$7,306,468.90 | Uncompleted |

| CRC Gross Cost                         | \$6,704,421.69                   |
|--|----------------------------------|
| Total 406 HMP Cost                     | \$239,376.93                     |
| Total Insurance Reductions             | \$0.00                           |
|  |                                  |
| CRC Net Cost                           | \$6,943,798.62                   |
| CRC Net Cost<br>Federal Share (90.00%) | \$6,943,798.62<br>\$6,249,418.76 |

### Award Information

### Version Information

| Version #    | Eligibility Status | Current Location | Bundle Number | Project Amount | Cost Share | Federal Share Obligated | Date Obligated |
|--------------|--------------------|------------------|---------------|----------------|------------|-------------------------|----------------|
| 0            | Pending            | In Review        |               | \$6,964,837.00 | 90%        | \$0.00                  |                |
| Drawdown His | tory               |                  |               |                |            |                         |                |

| 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 # |
|-----------|----------------|----------------|------------|--------------|--------------------|
| 0         | 1/7/2025       | \$6,249,418.76 | 90%        | Accepted     | 4339DRPRP00116671  |

### 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

#### 4/23/2024

#### GENERAL INFORMATION

Event: DR4339-PR

Project: SP 710099

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: \$6,943,798.62 (CRC Gross Cost \$6,704,421.69 + Mitigation Amount \$239,376.93)

#### 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, B0804Q19672F17B0804Q18529F17, B0804Q14312F17, B0804Q18517F17, B0804Q14312F17, B0804Q14412F17, B0804Q14417, B0804Q14412F17, B0804Q14412F17, B0804Q14412F17, B0804Q14412F17, B0804Q14412F17, B0804Q14412F17, B0804Q14417, B0804Q14412F17, B

### Mapfre Praico Insurance Company (1398178000644)

Multirational Insurance Company (88-CP-000307831-2, 88-CP-000318673-0, 88-CP-000318674-0, 88-CP-000318675-0, 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) #1309798:

| Location: Dominguito, Sub. 8010 8010-01 Start: | End:                                   | Manati, Sub. 8404 8404-03 Start: | End:                             | Manati, Sub. 8404 8404-04 Start |
|--|--|----------------------------------|----------------------------------|---------------------------------|
| End:<br>Ciales Sub 8701 8701-02 Start:         | Cruce Davila, Sub. 8501 8501-02 Start: | End:                             | Ciales, Sub. 8701 8701-01 Start: | End:                            |
| Calles, 545. 6761 6761 62 Start.               | Liki.                                  |                                  |                                  |                                 |

### GPS Coordinates: Multiple GPS Coordinates

Cause of Loss: Wind / Wind Driven Rain

Damage Inventory Amount: \$12,793,256.31 (CRC Gross Cost \$11,247,096.52 + Mitigation Amount \$1,546,159.79)

#### 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. 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 [Distribution Pole and Conductor Repair - Arecibo Group 1 - Phase 2] (Distribution) because the clinition 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 ar 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.

Jorge Parrilla, PA Insurance Specialist

CRC Atlantic, Guaynabo, PR

#### **O&M Requirements**

There are no Obtain and Maintain Requirements on FAASt [Pole and Conductor Repair - Arecibo Group 1 - Phase 2] (Distribution).

### 406 Mitigation

There is no additional mitigation information on FAASt [Pole and Conductor Repair - Arecibo Group 1 - 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.
- 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. Unexpected Discoveries: Pursuant to Stipulation III.8 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. 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 suffices out.
- Continue Conditions for Endangered Species Act (ESA) Species-Chilabortus longing duales that the product values of the product of the product of the second to be producted to the second to be producted to the product of the product
- Conditions for Endangered Species Act (ESA) Species-Amazona vitate present at Feeders: SUB.8404-03/ SUB. 8010-01/ SUB. 8501-02/ SUB.8701-02/ 8701-01 Species-Buteo platypterus brunnescens present at Feeders: SUB.8404-03/ SUB. 8010-01/ SUB. 8501-02/ SUB.8701-02/ 8701-01 Species-Accipiter striatus venator present at Feeders: SUB.8404-03/ SUB. 8010-01/ SUB. 8501-02/ SUB.8701-02/ 8701-01 Species-Accipiter striatus venator present at Feeders: SUB.8404-03/ SUB. 8010-01/ SUB. 8501-02/ SUB.8701-02/ SUB.8701-02/ 8701-01 Species-Accipiter striatus venator present at Feeders: 8701-01 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 ny nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Cutside 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 sharp-shinned hawk: December-June. For all nest sightings, the
- Conditions for Executive Order 11988 Floodplains: For Feeder SUB.8701-01 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.
- Conditions for Conservation for 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.
- Continue Conditions for Conservation for Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA): 2) 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. 3) Unusable equipment, debris, white goods, scrap metal any other material shall be dispose 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 ieopardize receipt of federal funds.
- Noncompliance with these requirements may jeopardize receipt of federal funds. • Continue Conditions for Endangered Species Act (ESA) Species Attantea tuikina- Present at Feeders: SUB.8404-03/ SUB. 8010-01/ SUB. 8501-02/ SUB. 8701-02 & 8701-01 g. lf, 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 10meter (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 o Carlos Pacheco, Fish and Wildlife Biologist ¿ Mobile: 786-847-5951 ¿ Office Direct Line: 939-320-3113 ¿ Email: carlos pacheco@fws.gov
- Conditions for Endangered Species Act (ESA) Species-Chilabortus Inomatus present at Feeders: SUB.8404-04 / SUB.8404-03 / SUB. 8010-01 / SUB. 8501-02 / SUB.8701-02 / SUB.8701-01 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 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 have hare 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 Last update: December 2023 habitat. If there is no suitable habitat adjacent to the project site, any VI boa found will be cutaded accordingly (see #6). 5. For all boa sightings (dead or alive), relocation site GPS coordinates, time and date of the relocated accordingly (see #6). Allow or Name and see the relocated and its behavior. 6. If any PR or VI boa (dead or alive), is found with the Action Area and on harm's wa
- Conditions for Endangered Species Act (ESA) Species- Ottoschulzia rhodoxylon present at Feeders: SUB.8404-04/ SUB.8404-03 & SUB. 8501-02. Species- Cordia bellonis present at Feeders: SUB.8404-03/ SUB. 8010-01/ SUB.8010-01/ SUB.8010-02 Species- Banara Vanderbiltii present at Feeders: SUB.8501-02 & SUB.8701-02 Species- Goetzea elegans present at Feeders: SUB. 8010-01 Species- Calyptronoma rivalis present at Feeders: SUB. 8010-01 Sub Species are discovered at the project site, the Service must be notified. The Applicant must develop conservation measures to minimize or avoid impacts on those species and share those measures with the Service for evaluation and approval. If no listed plants are found during surveys, no further action is required. However, if a listed plant species is found while the project is being conducted, project presonnel shall stop work, and the Service should be contacted for further technical assistance. Service's point of contacts: \*. José Cruz-Burgos, Endangered Species Program Coordinator, Mobile: 305-304-136, Office: 786-244-003 (Jees, cruz-burgos@fws.gov. \*. Omar Monsegur, Fish and Wildlife Biologist, Mobile: 305-304-132, omar\_monsegur@fws.gov.
   Conditions f
- Conditions for Endangered Species Act (ESA) Species Attantea tulita- Present at Feeders: SUB.8404-03/ SUB. 8010-01/ SUB. 8501-02/ SUB. 8701-02 & 8701-01 34. The Puerto Rican harlequin butterfly (Atlantea tulita) is endemic to Puerto Rica, 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 through its current range: a. The contractor must inform all personnel about the potential presence of the Puerto Rican harlequin butterfly through its current range: a. The contractor must inform all 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 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 (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 lyear-round in all life stages; thus, oviposition (egg-laying) may occur at any time during the

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 prickle 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. f. 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.

- For all Species & all aplicable Feeders- The Applicant must provide documentation at close-out that proves completion of required Conservation Measures. Continue of NEPA Determination Conditions 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 Sub-recipient or their contractor beginning to 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. NEPA Determination Conditions 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 previously disturbed or hardened surfaces can be provided at close-out"

### EHP Additional Info

There is no additional environmental historical preservation on FAASt [Pole and Conductor Repair - Arecibo Group 1 - Phase 2] (Distribution)

### **Final Reviews**

#### Final Review

Reviewed By LEFRANC-GARCIA, CARLOS L.

#### **Review Comments**

Project has been reviewed, found eligible and reasonable. - CLG 11.08.24

#### **Recipient Review**

Reviewed By Salgado, Gabriel

Reviewed On 11/14/2024 9:03 AM AST

Reviewed On 11/08/2024 2:41 PM AST

#### **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 \$6,943,798.62 for subaward number 11667 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 11/14/2024