

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

NEPR Received: Feb 25, 2026 4:30 PM
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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
Approval of Project, Request for Confidential
Treatment, and Supporting Memorandum of Law**

**MOTION SUBMITTING ONE FEMA APPROVAL OF PROJECT, 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 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 26th 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.

2. On October 4, 2021, LUMA filed a On April 28, 2021, *Motion Submitting Updated List of Transmission and Distribution Projects and Thirty-Eight Scopes of Work* (“October 4th Motion”). In the October 4th Motion, LUMA submitted thirty-eight (38) Scopes of Work (“SOWs”) for T&D Projects for the Energy Bureau’s review and approval prior to submitting them to COR3 and FEMA. Among the thirty-eight (38) SOWs, LUMA submitted the “FAASt Line 2400 Dos Bocas HP to America Apparel (Transmission)”¹ SOW.

3. On October 18, 2021, the Energy Bureau issued a Resolution and Order (“October 18th Order”) in which it determined that the projects submitted by LUMA in the October 4th Motion were necessary to improve the system’s reliability. Therefore, it approved the projects presented in the October 4th Motion, including the “FAASt Line 2400 Dos Bocas HP to America Apparel (Transmission)” 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. In compliance with the October 18th Order, LUMA hereby submits a copy of the “FAASt Line 2400 Dos Bocas HP to America Apparel (Transmission)” T&D Project approval by FEMA, which was obligated on February 20, 2026. *See Exhibit 1*² to this Motion. The document contains FEMA’s approval and includes the costs obligated for this Project.

5. 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 “FAASt Line 2400 Dos Bocas HP to America Apparel (Transmission)” T&D Project are protected from

¹ Referred to as the “Line 2400 Dos Bocas HP to America Apparel” in the FEMA Project SOW.

² Please note that **Exhibit 1** has digitalization and table format issues, which are found on the documents as issued by FEMA.

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 (2025). If the Energy Bureau determines, after appropriate evaluation, 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 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 that 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 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.³ In at least two Data Security and Physical Security proceedings,⁴ this Energy Bureau, *motu proprio*, has conducted proceedings confidentially, thereby recognizing the need to protect CEII from public disclosure.

13. 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.

14. 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.

15. 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:

³ *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).

⁴ *In re Review of the Puerto Rico Electric Power Authority Physical Security Plan*, NEPR-MI-2020-0018.

- (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.

23. 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.*

24. 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”).⁵

⁵ 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;
- (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;

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).⁶

25. Portions of the FEMA approval in **Exhibit 1** qualify as CEII because this document 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 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.

26. 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

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- (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.

⁶ 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.

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

27. 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.

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 Line 2400 Dos Bocas HP to America Apparel (Transmission)	Pages 1-2, 10	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674.	February 25, 2026

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 PREPA via Alexis Rivera,

alexis.rivera@prepa.pr.gov, and through its counsel of record, Natalia Zayas Godoy, nzayas@gmlex.net, Richard Cruz Franqui, rcruzfranqui@gmlex.net, and Mirelis Valle Cancel, mvalle@gmlex.net, to Genera PR LLC, through its counsel of record, Jorge Fernández-Reboredo, jfr@sbgblaw.com, José J. Díaz Alonso, jdiaz@sbgblaw.com, and Francisco Santos, francisco-santos@genera-pr.com.

In Guaynabo, Puerto Rico, on this 25th day of February 2026.



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Exhibit 1

(public version, confidential version to be filed under seal of confidentiality)

**Department of Homeland Security
Federal Emergency Management Agency**

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General Info

Project #	547251	P/W #	11807	Project Type	Specialized
Project Category	F - Utilities	Applicant	PR Electric Power Authority (000-UA2QU-00)	Event	4339DR-PR (4339DR)
Project Title	FAASt Line 2400 Dos Bocas HP to America Apparel (Transmission)		Declaration Date	9/20/2017	
Project Size	Large	Incident Start Date	9/17/2017		
Activity Completion Date	9/20/2027	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 #921824; FAASt Dos Bocas HP to America Apparel Transmission Line 2400

General Facility Information:

- **Facility Type:** Power generation, transmission, and distribution facilities
- **Facility:** Dos Bocas HP to America Apparel
- **Facility Description:** The specific facilities included in this proposed project are structures (including their foundations), framing and insulators, load break switches (manual and automated), conductors, guy wires, anchoring, grounding assemblies, and any other associated components. Most of the construction along this line segment consists of wood monopole guyed structures with some interspersed self-supporting steel and concrete monopoles. This line primarily traverses forested and urban areas, between Dos Bocas HP substation and America Apparel.
- **Approx. Year Built:** 1980
- **Start GPS Latitude/Longitude:** [REDACTED]
- **End GPS Latitude/Longitude:** [REDACTED]

Final Scope

921824 FAASt Dos Bocas HP to America Apparel Transmission Line 2400

Introduction

Pursuant to FEMA's Post-Fixed Cost Estimate Obligation SOP (the "SOP") for FAASt projects, FAASt subrecipients must provide to FEMA recovery project scopes of work ("SOW") for the proposed construction work to be performed. The SOW defines the activities that will be performed using Public Assistance ("PA") funding.

According to the SOP, FEMA "anticipates that [SOW] submissions might include preliminary designs, including drawings and cost estimates. FEMA also recognizes that, generally, architects and/or engineers do not include or delineate the information needed to enable FEMA to complete programmatic reviews. Therefore, in those cases, subrecipients must ensure to submit all the information described [in the SOP] and not limit the submission to a drawing set. Refer to Part C - II. Recipient/Subrecipient Checklist for Submissions as a guide to review completeness." SOP at 4.

This document contains the detailed SOW for FEMA PA Project No. 547251, Line 2400 Dos Bocas to American Apparel (Caonillas) under DR-4339-PR Public Assistance. The document provides a detailed description of the project, scope of PA construction activities

to be completed, common Environmental Planning and Historic Preservation (“EHP”) review information, proposed hazard mitigation measures, and project cost estimates. LUMA is seeking approval from COR3 and FEMA for PA funding to repair, restore, or replace the eligible facilities.

LUMA submits this Detailed SOW pursuant to the Transmission and Distribution Operations and Maintenance Agreement between the Puerto Rico Electric Power Authority (“PREPA”), the Puerto Rico Public-Private Partnerships Authority (“P3A”), and LUMA, and in accordance with the Consent to Federal Funding Letter issued by PREPA and P3A, which collectively provides the necessary consent for LUMA, as agent of PREPA, to undertake work in connection with any Federal Funding requests related to the Transmission and Distribution (“T&D”) System submitted to FEMA. References to “Subrecipient” herein refer to PREPA pursuant to this agreement and consent for LUMA to act as its agent with respect to federal funds.

Project Description

The proposed project will remove and replace 154 of the existing 161 structures along Transmission Line 2400, including their foundations, framing, insulators, load break switches (manual and automated), conductors, guy wires, anchoring, grounding assemblies, and other associated components. The poles to be replaced are of varying build, including wood guyed structures, interspersed self-supporting steel poles, steel lattice towers, and concrete monopoles. The remaining seven poles will have various components replaced such as framing equipment, insulators, and attachment hardware. LUMA will also conduct necessary vegetation removals at the project sites along the line. Please refer to Appendix E (TL-2400 Structure List_Revised_041624) for specific details regarding each of the 161 poles.

Facilities

The facility is a 12.77-mile, 38-kilovolt (“kV”) transmission line that is currently supported by 161 structures with underbuilt distribution and third-party attachments. The types of poles supporting the line varies along its length and include wood poles, steel monopoles, steel lattice towers, and concrete poles. The following table identifies the GPS start and end locations of this project:

Project Location	Line Number	GPS Start	GPS End	Voltage (kV)
Dos Bocas to Caonillas	2400	[REDACTED]	[REDACTED]	38 kV

A list of the poles to be replaced can be found in Appendix E (L 2400 Structures List Revised_041624).

Project Area Map with Boundaries of Construction

Please see the attached maps included in Appendix A (TL-2400 38kv Aerial Map), Appendix E (TL-2400 _Structure List revised_9302024), and Appendix F (TL-2400 Structure KMZ).

Scope of Work

The proposed type of work for this project:

? Standard Project: Restores the facility/facilities to pre-disaster design and function to locally adopted codes/standards and/or FEMA-approved industry standards.

Description of Scope 428 work to be performed

The work to be performed for Line 2400 from Dos Bocas to American Apparel (Caonillas) consists of removing and replacing 154 of the 161 poles currently supporting the transmission line. This includes replacement of the existing conductors and hardware, structures, guy anchoring, foundations, and overhead ground wire (“OHGW”).

The proposed project includes the repair and restoration of disaster-damaged components to the approved codes and standards detailed in Section 9.2 below. The following infrastructure is addressed in this SOW:

Transmission Line

The existing 38-kV line runs from Dos Bocas to American Apparel (Caonillas), spanning a length of 12.77 miles. One Hundred Fifty-Four of 161 poles and structures, including foundations, guying, insulators, and associated attachment hardware will be removed and replaced across the entire alignment. The line will remain along its existing route and within the existing rights of way ("ROW"). Please refer to (1) Appendix E (TL-2400 _Structures List_Revised_041624) for a list of structures and (2) Appendix F (TL-2400 _Structure _KMZ) for the KMZ file.

A. Structures: One Hundred Fifty-Four (154) of 161 existing structures will be removed and replaced with new steel round poles. Removal includes the following scope of work:

- a. Remove 154 structures consist of
 - i. 72 existing concrete poles
 - ii. 32 wood structures, and
 - iii. 50 steel structures.
- b. Install 154 new steel round poles
 - i. 3ea 73' S13 Poles,
 - ii. 3ea 73' S21 Poles,
 - iii. 10ea 73' S35 Poles,
 - iv. 2ea 73' S8 Poles,
 - v. 2ea 75' M3159 Poles,
 - vi. 20ea 75' M7187 Poles,
 - vii. 49ea 88' S20 Poles,
 - viii. 30ea 88' S35 Poles,
 - ix. 31ea 90' M10740 Poles,
 - x. 2ea 95' S13 Poles,
 - xi. 1ea 36' SSA M909 Pole, and
 - xii. 1ea 65' SS M5275 Pole.
- c. Install concrete foundations: The new poles' foundations will require a total of 480 cubic yards ("cy") of concrete.

Concrete Base Description	Diameter (ft-in.)	Depth (ft.)	Volume per Foundation (CY)	Total Volume (CY)
Cast in place foundations Structures with FID#: 33188408, 33188502, 17004500,	6.5-0	14.45	17.76	53.28
Cast in place foundations Structures with FID#: 15227947	6.5-0	14.45	17.76	17.76

Cast in place foundation for poles with FID #: 17777630, 17777635, 1001437908, 17777697, 17777689, 20951608, 20951574, 16428935, 2400, 16428999, 16429037, 16429059, 16429099, 20950332, 20950352, 20950298, 20950646, 20950887, 30096685, 20950855, 29364920, 20950843, 12247972	6.5-0	14.45	17.76	408.48
Total Poles and Structures (27)				479.52

B. Other repairs, reinforcement, and replacement of pole components include

- a. Install 154 enhanced hardware packages.
- b. Remove and replace 154 existing insulators with polymer insulators.

C. OHGW: Remove and Replace existing OHGW with 68,000 linear feet of new 144-strand Optical Ground Wire (“OPGW”).

D. Guys, Anchors, and Hardware: For quantities review please see Appendix B (TL-2400 Dos Bocas to American Apparel LPCE_2025-06-05 (Rev 8 Full 428)).

E. Conductor: Remove the existing conductor 3/0 aluminum conductor steel reinforced (“ACSR”) and replace with 40 wire miles of 556 parakeet ACSR.

Project Cost Estimate (PCE)

The estimated costs (compliant with Class 3 Accuracy +/-30%) to complete the project are summarized in the table(s) below. The cost estimate(s) was developed utilizing preliminary Architectural and Engineering design information. Below are two cost estimates: (1) construction estimate, (2) telecommunications estimate. The total of the line rebuild amounts to \$55,018,568.85. For a more detailed cost estimate refer to appendix/appendices identified below.

Construction Costs:

The estimate for construction costs is \$48,102,843.52. Please refer to Appendix B (TL-2400 Dos Bocas HP to American Apparel LPCE_2025-06-26 (Rev 9 Full 428)).

COST ESTIMATE			
Cost Element	428	406	PROJECT TOTAL
PLANNING	\$3,192,039.55	\$-	\$3,192,039.55

MANAGEMENT	\$2,028,440.95	\$-	\$2,028,440.95
TL 2400 Dos Bocas HP to America Apparel	\$40,602,327.37	\$-	\$40,602,327.37
GENERAL CONDITIONS	\$2,280,035.65	\$-	\$2,280,035.65
COST TOTALS	\$48,102,843.52	\$-	\$48,102,843.52
DEDUCTIONS	TOTAL INSURANCE PROCEEDS RECEIVED		\$-
	DE-OBLIGATION TO FAASt IF APPLICABLE		\$-
FAASt ALLOCATIONS	FAASt PROJECT # 551926 - 428		\$43,815,411.18
	FAASt PROJECT # 551926- 406HM		\$-
	FAASt PROJECT #	TOTAL:	\$43,815,411.18
	FAASt A&E # 335168 - 428		\$3,319,952.82
	FAASt A&E # 335168 - 406 HM		\$-
	FAASt A&E # 335168 TOTAL		\$3,319,952.82
	FAASt E&M #673691 - 428		\$967,479.52
	FAASt E&M #673691 - 406 HM		\$-
	FAASt E&M #673691 TOTAL		\$967,479.52

Telecommunication Estimate:

The estimate for telecommunications costs is \$6,915,725.33 Please refer to Appendix C (TL[1]2400 Dos Bocas HP to American Apparel Telecom CE_2025-06-26 (Rev 5 Full 428)).

COST ESTIMATE			
Cost Element	428	406	PROJECT TOTAL
PLANNING	\$380,593.84	\$-	\$380,593.84
MANAGEMENT	\$332,725.04	\$-	\$332,725.04

TL 2400 Dos Bocas HP to America Apparel	\$5,894,289.78	\$-	\$5,894,289.78
GENERAL CONDITIONS	\$308,116.67	\$-	\$308,116.67
COST TOTALS	\$6,915,725.33	\$-	\$6,915,725.33
DEDUCTIONS	TOTAL INSURANCE PROCEEDS RECEIVED		\$-
	DE-OBLIGATION TO FAASt IF APPLICABLE		\$-
FAASt ALLOCATIONS	FAASt PROHECT # 551926 - 428		\$6,474,062.50
	FAASt PROJECT # 551926- 406HM		\$-
	FAASt PROJECT #	TOTAL:	\$6,474,062.50
	FAASt A&E # 335168 - 428		\$433,482.47
	FAASt A&E # 335168 - 406 HM		\$-
	FAASt A&E # 335168 TOTAL		\$433,482.47
	FAASt E&M #673691 - 428		\$8,180.36
	FAASt E&M #673691 - 406 HM		\$-
	FAASt E&M #673691 TOTAL		\$8,180.36

Project Cost Summary, 428 Version 0:

Work to be Completed (WTBC): \$55,018,568.85

A&E Deduction (Global A&E FAASt 335168): -\$3,753,435.29

E&M Deduction (Global E&M FAASt 673691): -\$975,659.88

Project Total: \$50,289,473.68

Project Cost Estimate Notes:

1. Refer to detailed SOW provided in document labeled: "547251-DR4339PR-PR Detailed Scope of Work TL2400 Dos Bocas HP to American Apparel Rev 0. 2025-07-01 10_08.pdf"

2. Refer to detailed Cost Estimate provided in document labeled: "547251-DR4339-PR Appendix B - TL-2400 Dos Bocas HP to America Apparel LPCE_2025-06-26 (Rev 9-Full 428).xlsx" and "547251-DR4339-PR Appendix C - TL-2400 Dos Bocas HP to

3. A&E cost included in this project will be reduced from this project and obligated under the FAASSt Project #335168, A&E, as shown in the table above. The A&E project was obligated to track and account for cost associated with individual FAASSt projects.
4. Equipment and material costs included in this project will be reduced from this project and obligated under FAASSt Project #673691, Equipment and Materials, as shown in the table above. Only the base cost of equipment and/or material will be reduced from this project (not labor). All costs associated with Planning, Management, General Conditions, and Contingencies will remain in this project.
5. This project is part of Donor FAASSt 136271 – MEPA078 Puerto Rico Electrical Power Authority (PREPA) Island Wide FAASSt Project.697.

ATTACHMENTS

APPENDIX A –TL-2400 Aerial Photo Map

APPENDIX B - TL 2400 Dos Bocas HP to American Apparel LPCE_2025-06-26 (Rev 9 Full 428)

APPENDIX C – TL 2400 Dos Bocas HP to American Apparel Telecom CE_2025-06-26 (Rev 5 Full 428)

APPENDIX D - TL-2400 Route of Structures Access

APPENDIX E - TL-2400 Structure List_Revised_041624

APPENDIX F – TL-2400 Structure_KMZ

406 HMP Scope

This project came to HM queue as a Version 0 project to allow EHP to perform the Record Environmental Consideration (REC) evaluation including the boring plans to it. At this moment there is no Hazard Mitigation (HM) opportunity. HM opportunities will be evaluated on a newer version. Project is Ready for Insurance Completion.

Cost

Code	Quantity	Unit	Total Cost	Section
9001	1	Lump Sum	\$55,018,568.85	Uncompleted
3510	1	Lump Sum	(\$3,753,435.29)	Uncompleted
9001	1	Lump Sum	(\$975,659.88)	Uncompleted

CRC Gross Cost	\$50,289,473.68
Total 406 HMP Cost	\$0.00
Total Insurance Reductions	\$0.00
<hr/>	
CRC Net Cost	\$50,289,473.68
Federal Share (90.00%)	\$45,260,526.32
Non-Federal Share (10.00%)	\$5,028,947.36

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.
- 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.
- 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.
- 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.
- 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.
- The Subrecipient provided the estimate for this PW. FEMA validated the estimate and found it to be reasonable for the work to be performed.

Insurance

Additional Information

11/13/2025

GENERAL INFORMATION

Event: DR4339-PR

Project SP 547251

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

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) 921824:

FAAST Dos Bocas HP to America Apparel Transmission Line 2400

Location: Dos Bocas HP to America Apparel

GPS Coordinates: [REDACTED]

Cause of Loss: Wind / Wind Driven Rain

Damage Inventory Amount: \$50,289,473.68 (CRC Gross Cost)

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 Dos Bocas HP to America Apparel Transmission Line 2400 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 to 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 Line 2400 Dos Bocas HP to America Apparel (Transmission)**.

406 Mitigation

There is no additional mitigation information on **FAASt Line 2400 Dos Bocas HP to America Apparel (Transmission)**.

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.
- 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.
- The Applicant must provide documentation at close-out that proves completion of required Conservation Measures.
- T&C 1 (RPM 1). The Service and the Federal Agency will ensure take levels do not exceed levels anticipated in this PBO. 1. Inform all project personnel about the potential presence of the PR and VI boa in areas where the proposed work will be conducted and provide training session 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. 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 movements, the boundaries of the project area and areas to be excluded and protected will be clearly marked in the project plan and in the field in order to avoid further habitat degradation outside of the AA. 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), a 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 AA. 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 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, the 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 AA and on harm's way, the action will stop at that area and information recorded (see #5). If a PR or VI boa is located within harm's way, all attempts will be made to immediately safely capture the animal (refer to T&C 2). PR boas will be safely captured and relocated at least 1km within suitable habitat (forested) 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 and designated personnel and will not harm or injure the captured boa. If any VI boa is found, do not relocate. Capture and temporary hold the individual accordingly (refer to T&C 2). Contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers immediately if in Puerto Rico (787-724-5700, 787-230-5550, 787-771-1124) or contact the USVI Department of Planning and Natural Resources (DPNR), Division of Wildlife, immediately if in St. Thomas (340-775-6762, 340-773-1082). The Action may continue at other work sites within the AA where no PR and VI boas have been found. If immediate relocation of PR boa by the project biologist or designated personnel is not an option, project related activities at this area will stop until the boa moves out of harm's way on its own or call the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (787-724-5700, 787-230-5550, 787-771-1124). The potential use of the PRDNER staff for these purposes should be coordinated with them at least 30 days before the project starts. If a PR boa is captured by the PRDNER, record the name of the PRDNER staff and information on where the PR boa will be relocated. 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 AA. 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 (refer to T&C 2). If not possible, the animal will be left alone until it leaves the vehicle or machine by itself.
- 8. 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 farthest away 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. 9. In the event a PR boa and VI boa is found dead within the project footprint, the Federal Agency and the Recipient must contact the Service to appropriately dispose the animal. 10. Should the forms of take reach the amount of exempted take (Table 6-1) during the Action, the Federal Agency and the Recipient shall terminate the authorized activities and contact the Service within 24 hours in order to reinstate consultation. The Service and the Federal Agency and the Recipient will re-consult to determine whether authorized activities should continue as proposed and whether modifications or stipulations are warranted. 11. 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 in order to reinstate consultation. The Service and the Federal Agency and the Recipient will re-consult to determine whether authorized activities should continue as proposed and whether modifications or stipulations are warranted. 12. The contact information for the Service must be followed: Fish and Wildlife Biologist: Jan P. Zegarra at jan_zegarra@fws.gov, 786-933-1451; Endangered Species Program Coordinator: Jose Cruz at Jose_Cruz-Burgos@fws.gov, 305-304-1386. All reporting must be submitted at caribbean_es@fws.gov.

- T&C 2 (RPM 2). The Service requires the Federal Agency to follow standard procedures while capturing, handling, transporting, temporary holding, relocating and tracking VI boas in order to minimize the risk of injury and mortality to the species. A. The Federal Agency and the Recipient shall identify who will capture PR or VI boas and assess and determine if a boa has been injured as a result of project activities, and if it is in need of veterinary care or rehabilitation. If an injured PR boa or VI boa is in need of veterinary care or rehabilitation, the Federal Agency and the Recipient shall immediately seek veterinary care for the animal and inform the Service within 24 hours of the event. B. The Federal Agency must ensure that any permitted individuals, contractor, recipients or cooperators follow proper procedures and methods for capturing, handling, temporary holding, relocating of the PR and VI boa. The following procedures will be followed: i. All PR and VI boas shall be handled safely to avoid injury. The preferred method of capture is by hand, although a snake hook or stick may also be used if snake is uncatchable by hand, or in order to help move the snake into a safer position for capture. ii. All PR and VI boas may be temporarily held during and/or relocation purposes. Boas will be handled as little as possible, and they shall not be kept for more than three days since the day of capture. Temporary holding of boas will be in burlap bags (1 boa per bag) and/or secured containers, which must be placed in cool dry areas that are not in direct sunlight or extreme temperatures. Burlap bags shall be placed inside a container with other boas each inside their own burlap bag and labeled properly. All containers shall be well-ventilated and with a secure lid to avoid boas from escaping. iii. Only qualified, experienced personnel, with a required State and Federal applicable permits may place PIT tag injections. PIT tags may be subcutaneously injected mid-body using sterile syringes. When injecting tags, keep needle parallel to the boa's body and do not force the needle into the muscle tissue or between the ribs. Snakes greater than 400 mm (15.7 in) in length, but that weigh less than 100 grams (3.5 oz), may be PIT tagged with a 5 mm (0.19 in.) PIT tag. An 8 mm (0.31 in) PIT tag may be used for all snakes that weigh over 100 grams (3.5 oz). iv. The Federal Agency and the Recipient and/or contractors shall obtain all necessary permit(s) from the corresponding State agency for capturing, handling, transporting, temporary keeping, relocating and tracking PR and VI boas.
- M&R 1. The Federal Agency and the Recipient will ensure that incidental take levels will be minimal. A. For all PR and VI boa sightings (dead or alive), the Action Agency shall ensure that an effective monitoring and reporting method is established. Reporting shall include the following and should injury or mortality occurred during the Action, the Federal Agency and the Recipient shall contact the Service within 24 hours of the event: i. Date, time and location (latitude/longitude) of the sightings and relocation sites. ii. Size, weight and sex (if possible) of the PR and VI boa. iii. A photograph of the snake as found or after capture. iv. Description of how and what caused the take in the case of injury or death. v. Description of any additional conservation measures that may be implemented to further avoid and minimize take.
- M&R 2. Disposition of Dead or Injured boas A. Disposition of dead animals must be immediately coordinated with the Service for appropriate disposal of the animal. B. The Service may request some dead specimens of PR boa and all for VI boa. The Federal Agency and the Recipient shall coordinate the delivery of such specimen to the Service. C. In case of an injured boa, the Federal Agency and the Recipient must seek veterinary care for the animal and inform the Service within 24 hours of the event.
- Birds *Amazona vittata* and *Buteo platypterus brunnescens*: 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. 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 [Jose_Cruz-Burgos](mailto:Jose_Cruz-Burgos@fws.gov), 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
- The Applicant must complete surveys for Palo de nigua and Puerto Rican harlequin butterfly and *Oplonia spinosa* for boring sites B2 and B5, and for Palo de Rosa for borings B2 and B3 before performing any construction activity in these worksites. Once

completed, the surveys must be submitted to FEMA to complete the ESA Section 7 consultation process. After FEMA completes the ESA Section 7 consultation process with USFWS, a determination will be provided to the Applicant. The boring should not be performed in these sites until FEMA finishes ESA Section 7 consultation process.

- 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 Applicants permanent files.
- 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.
- The following conditions are for new actions: The Sub-recipient must provide documentation at close-out that proves completion of required Conservation Measures.
- *Atlantea tulita*: 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 ESA. 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 5-meter (16 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. 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: *. Clearly mark the host plant with flagging tape. *. Establish a 5-meter (16-foot) buffer zone around the bush for its protection. *. 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. *. 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.
- Puerto Rican boa (*Chilabothrus inornatus*) a. Inform all project personnel about the potential presence of the PR boa in areas where the proposed work will be conducted. A pre-construction meeting should be conducted to inform all project personnel about the need to avoid harming the species as well as penalties for harassing or harming PR boas. An educational poster or sign with photo or illustration of the species should be displayed at the project site. b. Prior to any construction activity, including removal of vegetation and earth movements, the boundaries of the project and areas to be excluded and protected should be clearly marked in the project plan and in the field in order to avoid further habitat degradation into forested and conservation areas. c. Once areas are clearly marked, and prior to the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), a biologist or project personnel with experience on this species should survey the areas to be cleared to verify the presence of any PR boa within the work area. d. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #e). Do not capture the boa. If boas need to be moved out of harm's way, designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal: (787) 999-2200 ext. 2911. If immediate relocation is not an option, project-related activities at that area must stop until the boa moves out of harm's way on its own. Activities at other work sites, where no

boas have been found after surveying the area, may continue. e. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. PR boa data should also include a photo of the animal (dead or alive), site GPS coordinates, the time and date, and comments on how the animal was detected and its behavior. f. If a PR boa is captured by PRDNER personnel, record the name of that person and information on where the PR boa will be taken. This information should be reported to the Service.

- g. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal, and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal (see #d). If not possible, the animal should be left alone until it leaves the vehicle on its own. h. PR boas may seek shelter in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If debris piles will be left on site, we recommend they be placed in areas that will not be disturbed in the future. i. If a dead PR boa is found, immediately cease all work in that area and record the information accordingly (see #e). If the PR boa was accidentally killed as part of the project actions, please include information on what conservation measures had been implemented and what actions will be taken to avoid further killings. A dead boa report should be sent by email to the Service at Caribbean_es@fws.gov, within 48 hours of the event. j. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.
- Puerto Rican parrot (*Amazona vittata*) and Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens* a. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the ESA. 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 breeding season no nest surveys are required. However, some bird species may nest year-round, therefore, if a nest is encountered while the project is being conducted, 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. 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. Office phone: 786-244-0081.
- Puerto Rico and U.S. Virgin Islands plants: *Cornutia obovate*, *Ottoschulzia rhodoxylon*, *Calyptronoma rivalis* a. Where threatened and endangered plants are identified, flag individuals and avoid to the extent feasible. If the plants cannot be avoided, they should be salvaged and replanted as close to the impact area as possible. b. If space allows, leave a 5-foot buffer around individuals and/or clusters c. For trees and palm trees, if space allows, leave a 15-foot buffer around the tree d. When pruning, prune dead branches. If pruning live branches do not prune more than 10%. Please contact the USFWS Field Office if additional pruning is necessary for a listed plant species: Office Direct Line: 786-244-0081. Email: caribbean_es@fws.gov
- *. 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.
- *. 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.

EHP Additional Info

There is no additional environmental historical preservation on **FAASt Line 2400 Dos Bocas HP to America Apparel (Transmission)**.

Final Reviews

Final Review

Reviewed By LEFRANC-GARCIA, CARLOS L.

Reviewed On 01/20/2026 7:33 PM PST

Review Comments

The specific facilities included in this project are structures (including their foundations), framing and insulators, load break switches (manual and automated), conductors, guy wires, anchoring, grounding assemblies, and any other associated components. Most of the construction along this line segment consists of wood monopole guyed structures with some interspersed self-supporting steel and concrete monopoles. This line primarily traverses forested and urban areas, between Dos Bocas HP substation and America Apparel. Project is ready to be moved towards obligation. CRC Net costs: \$50,289,473.68 Federal share: \$45,260,526.32 No 406 HMP Costs in this V0. CLG 1/20/26

Recipient Review

Reviewed By Mulero, Noel

Reviewed On 01/30/2026 9:08 PM PST

Review Comments

Recipient review completed. Applicant must ensure to compliance with all regulatory requirements, Record of Environmental Consideration (REC) Special Conditions and PA policy. Project is ready for applicant review.

Project Signatures

Reviewed By Unsigned

Reviewed On Unsigned

Award Information

Version Information

Version #	Eligibility Status	Current Location	Bundle Number	Project Amount	Cost Share	Federal Share Obligated	Date Obligated
0	Pending	In Review		\$0.00	90%	\$0.00	

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 #
0	2/20/2026	\$45,260,526.32	90%	Accepted	4339DRPRP00118071