



public notice

The Department of Transportation and Public Works (DTPW), the Puerto Rico Highway and Transportation Authority (PRHTA), and the Federal Highway Administration (FHWA), notify private organizations, state and government agencies, municipal entities and the public the opportunity to review and provide comments to the Draft of the Programmatic Agreement (PA) among the Federal Highway Administration, the U.S. Army Corps of Engineers, the Puerto Rico State Historic Preservation Officer, the Advisory Council on Historic Preservation and PRHTA to establish an alternative process that takes into account the effects of transportation projects on historic properties in Puerto Rico.

Federal Highway Administration (FHWA) implements the Federal-aid Highway Program (Program) in Puerto Rico by funding and approving transportation projects that are administered by Puerto Rico Highway and Transportation Authority (PRHTA).

Program-funded transportation projects are undertakings subject to Section 106 of the National Historic Preservation Act (NHPA) and its regulations. USACE is responsible for regulating a variety of dredging or filling activities into waters of the United States under Section 404 of the Clean Water Act, which are also subject to the requirements of Section 106. Responsibility that has been delegated by ACHP.

Since transportation projects can influence historic properties included in, or eligible to be included in, the National Register of Historic Places, the agencies have developed the PA that seeks to establish an alternative process. that considers the effects. This PA establishes the regulatory process of Section 106 so that all the agencies included are aware of their responsibilities and their functions in the process of evaluating the effects of historic properties.

This PA delegates certain authorities from FHWA as lead federal agency directly to PRHTA to perform certain components of Section 106 process on their behalf. Also, PA provides expedited project delivery for projects with no and/or limited potential harm to historic properties and codifies the Section 106 regulatory process so that all signatory agencies understand their responsibilities and their role in the Section 106 process.

This PA is available in the website of the Agency <http://www.dtop.pr.gov/> at the PRHTA Section, go to Offices, and choose Environmental Studies, or at link <https://act.dtop.pr.gov/wp-content/uploads/2021/11/Programmatic-Agreement-for-the-Transportation-Program-in-Puerto-Rico.pdf>
Copies of this document are available at:

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This document will be available for review for a period of thirty (30) calendar days from the date of this Notice. Any comments or recommendations regarding this document may be submitted to the PRHTA, Environmental Studies Office by mail to the PO Box 42007, San Juan, Puerto Rico 00940-2007 or to the above-mentioned email.

This Notice is published as part of the requirements of Federal regulation 23 CFR part 771 of FHWA and the Public Participation Process of the Environmental Studies Office.

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