Draft Environmental Assessment for the Clemente Ruiz Nazario U.S. District Courthouse Seismic Retrofit and new U.S. Courthouse Annex

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Hato Rey, San Juan, Puerto Rico

Prepared by:
Michael Baker International, Inc.

for
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ACRONYMS AND ABBREVIATIONS

ABAAS	Architectural Barrier Act Accessibility Standard
A/C	Air conditioner
ACM	Asbestos-containing materials
ACS	American Community Survey
ADA	Americans with Disabilities Act
AHU	Air Handling Unit
ASCE 7-22	American Society of Civil Engineers 7-22
BFE	Base flood elevation
BMP	Best Management Practice
BPF	Blows per feet
CAA	Clean Air Act
CERCLA	Comprehensive Environmental Resource, Compensation and Liability Act
CFR	Code of Federal Regulations
CO	Carbon monoxide
dBA	A-weighted Decibels
DOE	Determination of Eligibility
DNRA	Departmento de Recursos Naturales y Ambientales
DTOP	Departamento De Transportacion Y Obras Publicas
EA	Environmental Assessment
ECHO	USEPA's Enforcement and Compliance History Online
EGU	Emergency Generator Unit
EO	Executive Order
EPA	U.S. Environmental Protection Agency
EQBC	Environmental Quality Board Control
ESA	Endangered Species Act
EU	Equivalent unit
ERNS	Emergency Response Notification System
FBI	Federal Bureau of Investigation
FEMA	Federal Emergency Management Agency
FFA	Finding of Failure to Attain
FFE	Finished Floor Elevation
FIP	Federal Implementation Plan
FIRM	Flood Insurance Rate Map
FR	Federal Register
FRS	Facility Registry Service
GPD	Gallons per day
GSA	U.S. General Services Administration
GSF	Gross square feet
HVAC	Heating, ventilation and air conditioning
IBC	International Building Code
IPaC	Information for Planning and Consultation
kV	Kilovolt

kVA	Kilovolt-ampere
LBP	Lead-based paint
LOS	Level of Service
MBTA	Migratory Bird Treaty Act
MCE	Maximum Considered Earthquake
MMP	Materials Management Plan
NAA	Nonattainment area
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NERT	National Emergency Response Tool
NFRAP	No Further Remedial Action Planned
NHPA	National Historic Preservation Act
NO_2	Nitrogen dioxide
NPL	National Priories List
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
O_3	Ozone
OSHA	U.S. Occupational Safety and Health Administration
Pb	Lead
PBS	Public Buildings Service
PM_{10}	Particulates with aerodynamic diameters of 10 micrometers or less
$PM_{2.5}$	Particulates with aerodynamic diameters of 2.5 micrometers or less
PR	Puerto Rico
PR-1	Puerto Rico Highway 1
PR-18	Puerto Rico Highway 18
PRASA	Puerto Rico Aqueduct and Sewer Authority
PREPA	Puerto Rico Electric Power Authority
PSHA	Probabilistic Seismic Hazard Analysis
PSI	Pounds per square inch
PV	Photovoltaic
Qa	Alluvium
QTt	Older alluvial deposits
RCAP	Puerto Rico's Regulation for the Control of Atmospheric Pollution
RCRA	Resource Conservation and Recovery Act
SF	Square foot
SHPO	State Historic Preservation Office
SIP	State Implementation Plan
SO_2	Sulfur dioxide
SPT	Standard Penetration Tests
TA	Transportation Assessment
TSD	Treatment, Storage, and Disposal
URM	Unreinforced concrete masonry
U.S.	United States
USEPA	U.S. Environmental Protection Agency
U.S.C.	United States Code
USDA	U.S. Department of Agriculture

USF	Usable square feet
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
USMS	U.S. Marshals Service
UST	Underground Storage Tank
V	Volt
VHB	Vanasse Hangen Brustlin, Inc.

Executive Summary

The United States (U.S.) General Services Administration (GSA) proposes to seismically retrofit the existing Clemente Ruiz Nazario U.S. District Courthouse and construct a new U.S. Courthouse Annex within the Hato Rey Federal Complex located in San Juan, Puerto Rico. GSA has prepared this Draft Environmental Assessment (EA) in order to evaluate the social, economic, and environmental impacts resulting from the proposed seismic modernization of the exiting Clemente Ruiz Nazario U.S. District Courthouse and the construction of an Annex building connected to the U.S. District Courthouse in San Juan, Puerto Rico.

This Draft EA was prepared in compliance with the National Environmental Policy Act (NEPA) of 1969 (42 United States Code [U.S.C.] 4321 et seq.), GSA Public Buildings Service (PBS) NEPA Desk Guide (GSA, 1999), and other relevant federal and state laws and regulations and executive orders.

ES-1.1 Purpose and Need

The purpose of the Proposed Action is to seismically retrofit the existing Clemente Ruiz Nazario U.S. District Courthouse and construct a new U.S. Courthouse Annex for the Federico Degetau Federal Building and Clemente Ruiz Nazario U.S. District Courthouse within the 27-acre Hato Rey Federal Complex located in the Hato Rey section of San Juan, Puerto Rico.

The Proposed Action is needed to modernize the Clemente Ruiz Nazario U.S. District Courthouse so that it is structurally compliant with applicable seismic codes, thus prolonging the useable life of the structure. Additionally, the Proposed Action is needed to resolve operational and security deficiencies within the existing courthouse.

ES-1.2 Alternatives

GSA is considering two alternatives, as described below.

ES-1.2.1 Proposed Action Alternative

Proposed Action Alternative, GSA would seismically retrofit the existing Nazario Courthouse and construct a new nine-story U.S. Courthouse Annex within the Hato Rey Federal Complex. The Proposed Action Alternative would resolve operational and security deficiencies within the existing Courthouse and would allow the U.S. Courts in Puerto Rico to meet the future expansion capacity of the AnyCourt 2034 program and the United States Marshal Services (USMS) Program document. Additionally, the Proposed Action Alternative would modernize the Nazario Courthouse to meet seismic safety standards and reduce safety and health risks associated with potential seismic events. The proposed multi-story Annex would be constructed along the central-west portion of the Complex between the existing Degetau Federal Building and the Nazario Courthouse.

Under this alternative, the existing Courthouse would be structurally modernized with new concrete shear walls and metal stud partitions that are designed to meet modern standards and seismic demands. The new annex structure would provide approximately 196,215 square feet of multi-use occupancy spaces, courtrooms facility spaces, judges' chambers, and a subterranean

parking basement, which would resolve operational and security deficiencies within the existing Nazario Courthouse and would address projected space needs of the USMS.

ES-1.2.2 No Action Alternative

The No Action Alternative assumes that seismic retrofitting activities of the existing Courthouse and the construction of newer, larger facilities would not occur. Maintenance, repairs, and minor alterations would occur as needed and the operation of the existing Courthouse and Degetau Federal Building would continue as it currently does. The No Action Alternative does not meet the needs of the U.S. Courts or the USMS as the existing Nazario Courthouse lacks sufficient courtroom facilities to support courthouse functions and lacks separate secured and non-secured circulation paths for the public, judges, and prisoners. Under the No Action Alternative, the Nazario Courthouse would continue to be non-compliant with seismic safety standards for existing federal buildings under ICSSC RP-10 and would continue to pose an increased health and safety risk during seismic events corresponding to two-thirds of the Maximum Considered Event MCE) ground motion.

ES-1.3 Public Scoping

GSA held a virtual scoping meeting on September 28, 2023 at 9:00 AM local time. The meeting presented a design concept for the proposed new Annex building, provided a draft implementation schedule, and provided an opportunity for stakeholders to provide feedback on the project and ask questions. In addition to this scoping meeting held on September 28, 2023, a series of agency stakeholder engagement meetings were held in late 2023 and early 2024 with agencies that were determined to have a potential interest in the Proposed Action, including LUMA Energy, Puerto Rico Department of Transportation, and the City of San Juan, Puerto Rico.

ES-1.4 Environmental Consequences

The following sections provide a summary of assessed environmental consequences associated with the Action Alternative and No Action Alternative for the resources identified in the draft EA.

ES-1.4.1 Land Use and Zoning

Implementation of the Proposed Action would not result in changes to the existing land use or zoning of the Complex, nor would it result in the expansion of the existing Complex parcel Thus, the Proposed Action would have no adverse effects on land use and zoning of the existing parcel or surrounding land uses and zoning designations.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect related to the land use and zoning of the existing Complex parcel or surrounding land uses and zoning designations. In addition, a no action alternative would not meet the needs of the U.S. Courts in Puerto Rico.

ES-1.4.2 Soils and Geologic Conditions

The construction of the Proposed Action would have a direct, permanent, minor, localized, and adverse effect on geology and soils. Upon completion, the Proposed Action would have no effect

on geology and soils as the Proposed Action would not alter the seismic risks of the site and surrounding area.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect related to soils or geological conditions.

ES-1.4.3 Landforms

The Complex does not include and is not adjacent to natural landforms and features. As such, the Proposed Action would have no effect on landforms.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect related to landforms.

ES-1.4.4 Biological Resources and Depletable Natural Resources

The Complex is fully developed with multiple buildings, surface parking lots, access roads, and decorative landscape areas. The Campus does not contain Critical Habitat or wetland habitat identified by US Fish and Wildlife Service (USFWS) nor does the campus contain appropriate habitat that could be utilized by special status species identified by USFWS as having potential to occur in the area. Therefore, the GSA determined that the Proposed Action would have no adverse effect on federally listed species, designated critical habitats, or identified wetland habitats.

The Proposed Action would result in removal of five trees located within the central west portion of the Complex through construction of the proposed Annex building. No trees would be removed as part of the proposed Nazario Courthouse retrofitting improvements. The Proposed Action would comply with the Migratory Bird Treaty Act, including the implementation of appropriate avoidance measures, including avoiding tree removal during nesting season or conducting nesting bird surveys. As such, the Proposed Action would have a negligible short-term, site-specific, adverse effect on migratory birds protected under the Migratory Bird Treaty Act.

Implementation of the Proposed Action would not result in significant impacts to wetland features, or groundwater recharge compared to existing conditions. The Project would result in removal of 5 trees to accommodate the proposed Annex structure. Therefore, the Proposed Action would have direct, minor, temporary, site-specific, adverse effects on natural or depletable resources.

A No Action Alternative would have no effect related to vegetation, wildlife, or other depletable natural resources.

ES-1.4.5 Floodplains

The entire Complex is located within a federally designed 500-year floodplain as identified by FEMA's Flood Insurance Rate Map (FIRM) Panel Numbers 72000C0365J and 72000C0370J.Implementation of the Proposed Action would not substantially alter the floodplain compared to existing conditions. Therefore, the Proposed Action would have minor, temporary, site-specific adverse effects on a 500-year floodplain. Any required floodplain decision-making, including completion of the 8-step process and associated public noticing, would be finalized prior to agency approval of the Proposed Action.

A No Action Alternative would have no effect related to floodplains.

ES-1.4.6 Air Quality

During construction there would be minor, short-term adverse effects due to increased emissions from construction vehicles and fugitive dust. Operation of the Proposed Action would not result in an increase in the number of employees accessing the campus when compared to existing conditions. The increase in operational emissions associated with the corresponding increase in vehicle trips is anticipated to be minor. Therefore, the Proposed Action would have a minor, short-term, site-specific, adverse effect on ambient air quality during construction and a negligible, long-term, localized, adverse effect on ambient air quality during operation.

A No Action Alternative would have no effect related to ambient air quality.

ES-1.4.7 Noise

During construction there would be minor, short-term adverse effects due to increased noise from the use of construction during construction of the proposed Annex building. Construction activities would be done, to the extent possible, during afterhours and weekends so as to avoid disrupting court operations. During operation of the Proposed Action, there would be no increase in the number of employees accessing the campus, therefore, operational noise from vehicle trips is anticipated to be the same as existing conditions. Therefore, the Proposed Action would have a minor, short-term, site-specific, adverse effect on noise during construction and no adverse effects on noise during operation.

A No Action Alternative would have no effect related to noise.

ES-1.4.8 Socioeconomic

The Proposed Action is anticipated to result in short-term beneficial impacts to local employment and income resulting from a minor increase in construction-related employment opportunities would occur as a result of construction phases of the Proposed Action. The Proposed Action would have a direct and indirect minor, short-term, regional, beneficial effect on socioeconomics during construction and no effect on socioeconomics during operation.

A No Action Alternative would have no effect related to socioeconomics.

ES-1.4.9 Visual Quality and Urban Design

Although the Proposed Action would occur within already developed areas, the Proposed Action would alter the existing visual landscape of the Complex by constructing a new Annex and expanding the functional use of the existing link building. During construction, there would be direct, short-term, minor, site-specific, adverse effects during construction activities and direct, long-term, minor, site-specific, beneficial impacts through operation of the Proposed Action.

A No Action Alternative would have no effect related to visual quality and urban design.

ES-1.4.10 Historic Resources

The Nazario Courthouse, Degetau Federal Building, and link building were found to be eligible for inclusion in the National Register of Historic Places. In February 2026, the Puerto Rico State Historic Preservation Office (PR SHPO) reviewed a revised design package provided by GSA and concurred with GSA's determination that the Proposed Action would have a no adverse effect on historic properties.

With regard to archeological resources, previous disturbances within the Proposed Action footprint result in a low archeological sensitivity. As such, the Project would have no effect on archeological resources.

A No Action Alternative would have no effect related to Historic Resources.

ES-1.4.11 Utilities

The Annex's electrical load is estimated to be 1,453 kVA, which could increase to 1,744 kVA when considering a future 20 percent spare capacity to accommodate future growth. The electricity purveyor, LUMA Energy, determined that the Proposed Action would be served by existing infrastructure and would not require a new point of utility connection. Therefore, the Proposed Action would have direct, minor, long-term, adverse effects that would be localized to LUMA Energy's service area.

Because the Proposed Action would be supported by existing solid waste providers during construction and operation of the proposed Annex and seismic retrofit of the existing Nazario Courthoue, the Proposed Action would have direct, negligible, short-term, localized impacts during construction and direct, negligible, long-term, localized effects during operation related to solid waste disposal facilities.

The Proposed Action would have direct, minor, short-term, and localized adverse effects on sewer and water facilities during construction and direct, minor, long-term, localized, adverse effects on sewer and water facilities during operation of the Proposed Action.

A No Action Alternative would not adversely affect existing electrical infrastructure or the existing electrical service provider (LUMA Energy), solid waste infrastructure or service providers, or existing sewer and water infrastructure or service providers.

ES-1.4.12 Traffic and Transportation

During construction, the Proposed Action may result in minor, short-term effects on local roadways during construction-related activities, associated with equipment and material delivery to the site. During operation, no physical traffic-related improvements are required for the construction of the new Annex and Nazario Courthouse seismic retrofit. The Proposed Action would have direct, negligible, long-term, localized adverse effects on area roadways. The Proposed Action would have direct, negligible, long-term, site-specific impacts on parking The Proposed Action would have a direct, negligible, long-term, impact on transit services localized to the Tren Urbano service area.

A No Action Alternative would have no effect on traffic, transit services, or parking.

ES-1.4.13 Hazardous Materials

The proposed Annex does not involve, nor would it result in the use, storage, release and/or disposal of toxic hazardous or radioactive materials, or in the exposure of people to such materials. As such, there are no existing conditions identified by regulatory agencies within the Proposed Action area that would preclude the implementation of the new Annex building.

In addition, because the Proposed Action would adhere to all applicable federal and local laws regulating the handling, storage, and disposal of hazardous materials, the Proposed Action would have direct, minor, short-term, site-specific adverse effects related to hazardous materials.

A No Action Alternative would have no effect on hazardous materials.

1.0 Introduction

The United States (U.S.) General Services Administration (GSA) proposes to seismically retrofit the existing Clemente Ruiz Nazario U.S. District Courthouse and construct a new U.S. Courthouse Annex (herein referred to as the Project or Proposed Action) within the Hato Rey Federal Complex located in San Juan, Puerto Rico. The GSA has prepared this Draft Environmental Assessment (EA) in order to evaluate the social, economic, and environmental impacts resulting from the proposed seismic modernization of the existing Clemente Ruiz Nazario U.S. District Courthouse and the construction of an Annex building connected to the U.S. District Courthouse in San Juan, Puerto Rico.

This Draft EA was prepared in compliance with the National Environmental Policy Act (NEPA) of 1969 (42 United States Code [USC] 4321 et seq.), GSA Public Buildings Service (PBS) NEPA Desk Guide (GSA 1999), and other relevant federal and state laws and regulations and executive orders.

1.1 Purpose and Need for the Project

1.1.1 Purpose of the Project

The purpose of the action is to seismically retrofit the existing Clemente Ruiz Nazario U.S. District Courthouse and construct a new U.S. Courthouse Annex for the Federico Degetau Federal Building and Clemente Ruiz Nazario U.S. District Courthouse within the 27-acre Hato Rey Federal Complex located in the Hato Rey section of San Juan, Puerto Rico (**Exhibit 1 – Regional Map**). Construction of the new U.S. Courthouse Annex is proposed within the central-west portion of the Hato Rey Federal Complex between the existing Federico Degetau Federal Building and Clemente Ruiz Nazario U.S. District Courthouse (**Exhibit 2 – Project Location**). The new U.S. Courthouse Annex would connect the Federico Degetau Federal Building and Clemente Ruiz Nazario U.S. District Courthouse. The Project would expand the functional use of the existing link building, which currently connects the Federico Degetau Federal Building and Clemente Ruiz Nazario U.S. District Courthouse. In addition, the Clemente Ruiz Nazario U.S. District Courthouse would be retrofitted to withstand seismic demands associated with a seismic event corresponding to two-thirds of the MCE ground motion, which is defined as ground motion with a 2 percent probability of exceedance in 50 years.

1.1.2 Need for the Project

The Clemente Ruiz Nazario U.S. District Courthouse is a single-story, 113,700-square-foot (SF) reinforced concrete building with a basement that was originally built for the U.S. Courts. In recent years, the lack of sufficient space in the U.S. District Courthouse resulted in the courts occupying parts of the Federico Degetau Federal Building, which was originally designed to house federal agency staff. In addition, the Hato Rey Federal Complex lacks separate circulation paths for the public, judges, and prisoners, and does not meet the requirements of the U.S. Courts Design Guide or the U.S. Marshals Service Publication 64 (USMS Publication 64). Although a new sally port and secure corridor was constructed as part of a recent Capital Security Project, which helped alleviate some of these issues, the lack of separation between prisoners, the public, and the judges

remain. A new Courthouse Annex would provide approximately 196,215 gross square feet (GSF) of additional space, would resolve compromised operational and security deficiencies within the existing courthouse, and would accommodate the 2034 projected program of the U.S. Courts as defined by the Administrative Office of the U.S. Courts AnyCourt program document dated July 8, 2024 and the U.S. Marshals Service (USMS) Program document dated October 8, 2020. Portions of the existing link building, sally port, Clemente Ruiz Nazario U.S. District Courthouse, and Federico Degetau Federal Building would be demolished to accommodate the proposed connections to the new Courthouse Annex building. In addition, an emergency generator building and associated generator equipment and stormwater management system would be removed and relocated or reinstalled. Construction of the proposed Annex would be limited to the proposed construction area shown in **Exhibit 3 – Site Plan**.

Additionally, Puerto Rico is in a region of high seismicity, as the island is south of the Puerto Rico Trench between the North American and Caribbean tectonic plates. A series of material testing and site investigations of the Clemente Ruiz Nazario U.S. District Courthouse determined that the structure does not meet seismic safety standards for existing federal buildings (Interagency Committee on Seismic Safety in Construction Recommended Practice 10 [ICSSC RP-10]) and would not be capable of resisting seismic demands associated with a seismic event corresponding to two-thirds of the MCE ground motion. To comply with specific seismic safety standards and meet seismic demand requirements, the Clemente Ruiz Nazario U.S. District Courthouse would be retrofitted with concrete shear walls, additional structural reinforcement to the existing building foundation, and roof diaphragms upgrades that are designed to meet all required performance requirements, including the International Building Code (IBC), American Society of Civil Engineers 7-22 (ASCE 7-22) Minimum Design Loads and Associated Criteria for Buildings and Other Structures, GSA PBS Interim Core Building Standards, USMS Publication 64, and U.S Court Design Guide standards and seismic demands. Demolition of the existing walls and construction of the new walls would be implemented in phases to minimize disruption to building occupants and critical courthouse functions. In short, the Clemente Ruiz Nazario U.S. District Courthouse would remain fully operational with implementation of a phased construction approach.

1.2 History and Area Profile

The Hato Rey Federal Complex (Complex) is the largest facility under the GSA's jurisdiction in the Caribbean and is located at 150 Carlos E. Chardón Avenue in the Hato Rey District of the Municipality of San Juan, Puerto Rico. The Complex was previously the site of a U.S. Navy antenna facility. The site was acquired from the military in the 1970s to expand the U.S. Courts, which had outgrown the original Jose V. Toledo Courthouse in Old San Juan, and to provide a home for federal agencies in Puerto Rico. Built in 1974, the Federico Degetau Federal Building (Degetau Federal Building) and the Clemente Ruiz Nazario U.S. District Courthouse (Nazario Courthouse) were the first two buildings constructed in the Complex. The buildings are of a classic seventies brutalist architectural design and are constructed of reinforced concrete. Construction of the 7-story Degetau Federal Building provided 325,600 GSF of space designed to house federal agencies while the single-story Nazario Courthouse provided 100,000 GSF of dedicated space for the U.S. Courts. The two buildings are connected by a "link" building, also constructed during the

same time. The overall interconnected Complex is approximately 435,000 SF. Additional buildings have been constructed over the past 50 years east of these structures, including a stand-alone child development center, an independent parking structure, and a Federal Bureau of Investigation (FBI) building and sally port. In addition, the Complex has undergone improvements under the Hurricane Recovery Program, including the replacement of equipment in the emergency generator building and the installation of a new stormwater management system within the southwest corner of the Complex, both of which would be removed, and relocated or reinstalled to accommodate the construction of the proposed new Courthouse Annex building and to comply with GSA Order PBS 1095.8B and its companion PBS Floodplain Management Desk Guide. All activities related to the Proposed Action would be limited to the western portion of the Complex with the majority of construction occurring within the central-west portion of the Complex between the existing Degetau Federal Building and Nazario Courthouse (**Exhibit 3 – Site Plan**).

The Nazario Courthouse is the primary U.S. District Courthouse serving the island of Puerto Rico. Maintaining functional operations at this facility is critical to the role of the judicial system not only in Puerto Rico, but for the general population served throughout the Caribbean.

According to the U.S. Census 2023 American Community Survey (ACS) 5-year Estimates, Puerto Rico has an estimated population of 3,254,885 of which an estimated 338,661 people reside in the Municipality of San Juan. San Juan's population accounts for approximately 10 percent of Puerto Rico's total population. San Juan is home to the busiest port in the Caribbean and is the largest industrial center in Puerto Rico, with a metropolitan area with facilities for petroleum and sugar refining, brewing and distilling, cement production, pharmaceuticals, metal products, clothing, and tobacco. San Juan is Puerto Rico's financial capital with many U.S. banks and corporations maintaining offices or distribution centers within the City. Additionally, the Hato Rey District houses a concentration of financial headquarters, including Banco Popular, Westernbank, and First BanCorp, and is home to the Plaza Las Americas Shopping Mall and the Roberto Clemente Coliseum, which make up La Milla de Oro, or the Golden Mile District. The University of Puerto Rico is located in Río Piedras District, which abuts the Hato Rey District to the southeast.

The Nazario Courthouse and Degetau Federal Building are located less than 5 miles from Old San Juan to the northwest, and the San Juan Luis Muñoz Marin International Airport to the northeast, and is less than 0.25 miles from the Financial District and the Hato Rey stop of the Tren Urbano rail transit line.



Source: Google Earth Pro, March 2026

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DRAFT ENVIRONMENTAL ASSESSMENT FOR THE NEW US COURTHOUSE ANNEX
FEDERICO DEGETAU FEDERAL BUILDING AND CLEMENTE RUIZ NAZARIO US COURTHOUSE

Regional Vicinity

Exhibit 1



Source: Google Earth Pro, March 2026

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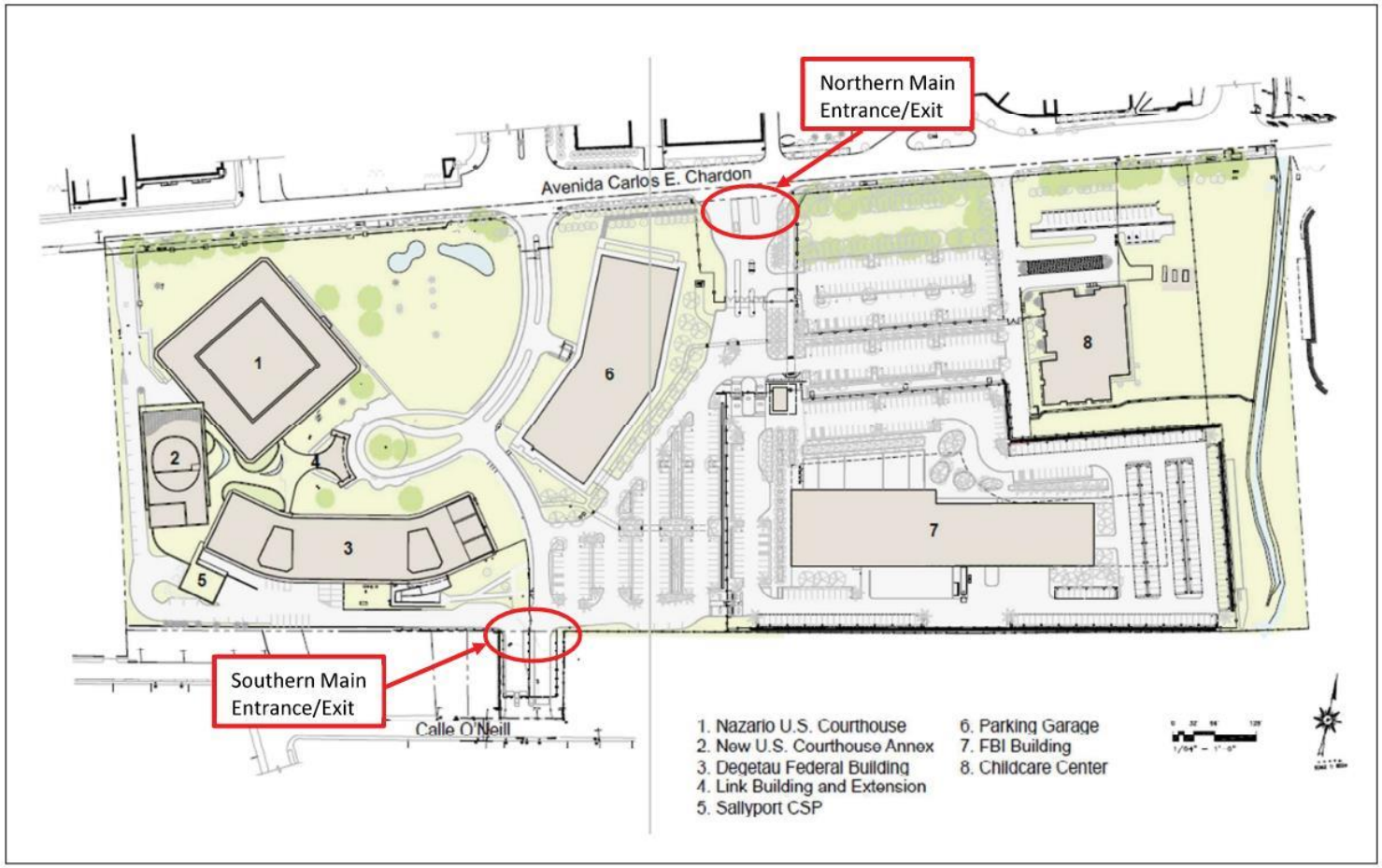
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DRAFT ENVIRONMENTAL ASSESSMENT FOR THE NEW US COURTHOUSE ANNEX
FEDERICO DEGETAU FEDERAL BUILDING AND CLEMENTE RUIZ NAZARIO US COURTHOUSE

Project Location

Exhibit 2



Source: Michael Baker International

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DRAFT ENVIRONMENTAL ASSESSMENT FOR THE NEW US COURTHOUSE ANNEX
FEDERICO DEGETAU FEDERAL BUILDING AND CLEMENTE RUIZ NAZARIO US COURTHOUSE

Site Plan

Exhibit 3

1.3 Scoping Overview

1.3.1 Public Scoping Meeting

A public meeting was held virtually on September 28, 2023 at 9:00 AM local time. The list of invited attendees and meeting attendees is included in **Appendix A**. The meeting presented a design concept for the proposed new Annex building, provided a draft schedule, and provided an opportunity for stakeholders to provide feedback on the project and ask questions. At the time of the meeting, the construction of the Proposed Action would commence October 1, 2027 and was anticipated to be completed on December 31, 2030.

This public meeting was also used as the public scoping meeting for purposes of NEPA compliance. No comments were received during this meeting regarding the environmental topic areas to be addressed in this Draft Environmental Assessment.

1.3.2 Agency Scoping Meetings

In addition to the scoping meeting held on September 28, 2023, at 9:00 AM local time, a series of agency stakeholder engagement meetings were held with agencies that were determined to have a potential interest in the Proposed Action. These agency interactions are detailed in **Appendix A**.

On November 20, 2023, GSA met with LUMA Energy, the energy purveyor for the Proposed Action. An overview of the Proposed Action was presented, including the estimated energy load required by the Project, which was followed by a question-and-answer period. LUMA Energy advised the Project team as to the permitting process once final load requirements have been identified.

On November 29, 2023, GSA met with the Puerto Rico Department of Transportation (PRDOT). An overview of the Proposed Action was presented, including an overview of the proposed ingress and egress points on the Project Site, which was followed by a question-and-answer period. PRDOT identified that the impacts on Carlos Chardon Avenue would need to be discussed with the local municipality, as Carolos Chardon Avenue is a municipal road. PRDOT suggested that GSA complete a traffic study to include in the draft EA to determine the impact of Project-related trips on state roadways. In follow-up communication with PRDOT on March 11, 2024, GSA provided the list of state roadways to be analyzed in the proposed Traffic study. GSA then requested agency comments from the Puerto Rico Department of Transportation and Public Works on the traffic study scope, but none were received.

On January 26, 2024, GSA met with the City of San Juan Planning Director to discuss traffic concerns and to ask about upcoming projects that the City is aware of in the immediate vicinity of the Proposed Action. The City's Planning Director connected the GSA point-of-contact with the municipality's Department of Transportation Director. GSA provided project details and requested agency comments on the Project and potential to impact area roadways. No comments were received.

1.4 Relevant Environmental Laws and Regulations

1.4.1 National Environmental Policy Act (NEPA)

NEPA, as amended in 2023, sets forth a national policy "to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans" (42 USC 4331[a]).

NEPA also requires federal agencies to prepare a detailed statement on (1) the environmental impact of a proposed action; (2) any adverse effects that cannot be avoided; (3) alternatives to the proposed action; (4) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and (5) any irreversible and irretrievable commitments of resources that would be involved in the proposed action (42 USC 4332[2][C]).

1.4.2 Section 106 of the National Historic Preservation Act (NHPA)

The NHPA (54 USC 300101 et seq.) of 1966 directs federal agencies to protect historic properties and avoid, minimize, or mitigate potential adverse effects that may occur from a proposed action. The process by which an agency assesses the effects of a proposed action is referred to as the Section 106 process and is detailed in 36 Code of Federal Regulations (CFR) 800.

Historic properties are those that are listed in, or eligible for listing in, the National Register of Historic Places (NRHP). The NRHP is maintained by the National Park Service and includes buildings, sites, districts, structures, or objects that have historic significance in American history, architecture, archaeology, engineering, or culture at the local, state, or national level. Generally, properties must be at least 50 years old to qualify for listing in the NRHP, unless of exceptional significance.

1.4.3 Section 7 of the Endangered Species Act

The Endangered Species Act (ESA) was enacted in 1973 to provide protection under the law for fish, wildlife, and plants that are listed as threatened or endangered. The ESA requires federal agencies to ensure that proposed actions are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitat. Section 7 of the ESA (16 USC 1531 et seq.) describes procedures for federal interagency cooperation to conserve listed species and designated critical habitat. The GSA determined that consultation was not required for the Proposed Action, due to the nature of the Project. This is further explained in Section 3.3.4 of this Draft EA.

1.4.4. Relevant Laws and Regulations and Design Standards

The following list provides a list of relevant laws and regulations that the GSA must comply with as part of the Project's NEPA process.

1.4.4.1 Statutes

- National Environmental Policy Act of 1970 (42 U.S.C. § 4321 et seq.)
- Clean Air Act of 1970 as amended (42 U.S.C. § 7401, et seq.)
- Clean Water Act of 1977 as amended (33 U.S.C. § 1251, et seq.)
- Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9601, et seq.)
- Archaeological Resources Protection Act of 1979 (16 U.S.C. § 470aa−mm)
- Energy Independence and Security Act (42 U.S.C. § 17001, et seq.)
- National Energy Conservation Policy Act (42 U.S.C. §82312, et seq.)
- Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901, et seq.)
- Endangered Species Act of 1973 (16 U.S.C. § 1531−1544)
- Migratory Bird Treaty Act (16 U.S.C. §§ 703–712)
- National Historic Preservation Act of 1966 (54 U.S.C. § 300101 et seq.) (89 Public Law 665 (1966))
- Federal Uniform Relocation and Real Estate Acquisition Policies Act of 1970 as amended (42 U.S.C. 4601−4655)
- Americans with Disabilities Act of 1970 (42 U.S.C. § 12101)
- Safe Drinking Water Act of 1974, as amended (42 U.S.C. § 300f, et seq.)
- Noise Control Act of 1972, 42 U.S.C. § 4901 et seq.
- Energy Independence and Security Act of 2007 (Public Law 110-140)

1.4.4.2 Regulations

- Protection of Archaeological Resources: Uniform Regulations (32 C.F.R. 229)
- U.S. Army Corps of Engineers Regulations (33 C.F.R. 320−330)
- Protection of Historic Properties (36 C.F.R. 800)
- Hazardous Substance Regulations (40 C.F.R. 300−399)
- Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 Federal Register 44716, Thursday, September 29, 1983)

1.4.4.3 Executive Orders

- Executive Order 11593 − Protection and Enhancement of the Cultural Environment
- Executive Order 11988 − Floodplain Management
- Executive Order 11990 − Protection of Wetlands

2.0 Alternatives Considered

The design presented in this Draft EA is subject to change throughout the design process. The current design would be presented in the Final EA and potential impacts would be considered and evaluated. This Draft EA analyzes the potential impacts of two alternatives, the No Action Alternative and the Proposed Action Alternative (Preferred Alternative).

2.1 Proposed Action Alternative

Under the Proposed Action Alternative, the GSA would seismically retrofit the existing Nazario Courthouse and construct a new nine-story U.S. Courthouse Annex within the Hato Rey Federal

Complex. The Proposed Action Alternative would resolve compromised operational and security deficiencies within the existing courthouse and would allow the U.S. Courts in Puerto Rico to meet the future expansion capacity of the AnyCourt 2034 program and the USMS Program document. Additionally, the Proposed Action Alternative would modernize the Nazario Courthouse to meet seismic safety standards and reduce safety and health risks associated with potential seismic events. The proposed nine-story Annex would be constructed within the central-west portion of the Complex between the existing Degetau Federal Building and the Nazario Courthouse. This area, as shown in **Exhibit 3 – Site Plan**, represents the area of proposed construction.

The proposed new Annex would consist of a nine-story building with a basement parking level. The Annex would house new courtrooms, judges' chambers, U.S. District Clerk, and related support offices, and USMS spaces with holding cells. The new Annex would be designed to be physically, functionally, and systematically linked to the link building, Nazario Courthouse, and Degetau Federal Building (**Exhibit 4 – Aerial View of Project Site**).

In total, the new Annex would provide approximately 196,215 GSF of multiuse occupancy spaces, courtroom facility spaces, judges' chambers, and a subterranean parking basement, which would resolve compromised operational and security deficiencies within the existing Nazario Courthouse and would address the projected 2034 space needs of the U.S. Courts and USMS in Puerto Rico. (**Exhibit 5 – Conceptual Rendering of the Proposed Annex Building Looking SW** and **Exhibit 6 – Conceptual Rendering of the Proposed Annex Building Looking SE**). Approximate square footage of dedicated spaces for the proposed new courtroom annex are presented in **Table 1**.

Table 1: Size of Dedicated Spaces

Dedicated Space	Usable Square Feet (USF)
U.S. District Judge Courtrooms, Associated Spaces, and Jury Facilities	33,887
U.S. District Judges and Senior Judge Chambers and Suites	20,471
Jury Assembly Suites	3,438
Grand Jury Suites	2,894
Court Shared Support Spaces	2,848
U.S. District Clerk	22,205
U.S. District Courts Total USF	**85,743**
U.S. Marshals Service	24,592
U.S. Marshals Service Total USF	**24,592**
Total USF	**110,335**
Total Building Gross Square Feet (GSF) – 67% efficiency	**176,175**
Interior Parking	20,040
GRAND TOTAL BUILDING GSF	196,215

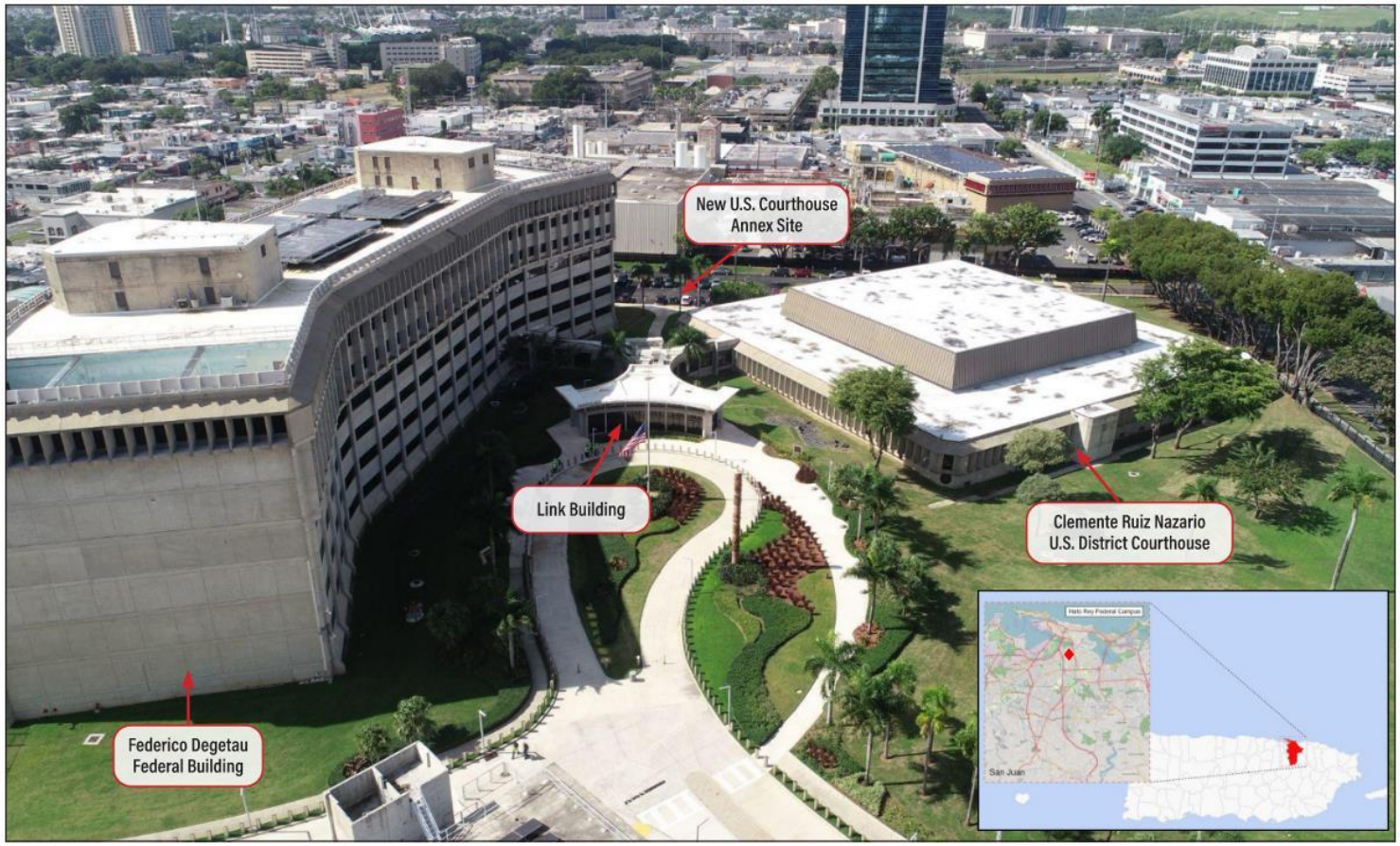
The subterranean parking basement of the new Annex would consist of a secured parking garage with approximately 35 parking spaces, including Architectural Barrier Act Accessibility Standard (ABAAS)/Americans with Disabilities Act (ADA) compliant spaces.

Land-disturbing activities include the demolition of an existing parking lot and the removal of five trees; demolition of a portion of the link building to accommodate the proposed Annex, and installation and/or replacement or relocation of underground utilities (electrical, domestic and fire

protection water supply, sanitary sewer, and stormwater recharging chambers); removal and relocation of a stormwater management system; installation of underground fuel tanks; excavation and foundation installation for the proposed structure, and roadway and drive areas around the site. The total estimated land disturbance area would be approximately 44,446 SF. Additionally, the Proposed Action would involve localized ground disturbance at a maximum of 90 feet for the pile foundations and 55 feet for the building foundation (mat foundation).

In addition, the Nazario Courthouse would be seismically retrofitted with new special reinforced concrete shear walls, additional structural reinforcement to the existing building foundations, upgraded roof diaphragms, and rehabilitated exterior columns work with in-kind materials that would be designed to meet required performance requirements, including but not limited to the ICSSC RP-10, IBC, ASCE 7-22 criteria, PBS Interim Core Building Standards, USMS Publication 64, and U.S Court Design Guide standards and seismic demands. As part of the Proposed Action, existing mechanical, electrical, and plumbing systems as well as fire protection systems would need to be removed and re-supported to the new shear walls as part of the Project. Further, portions of the existing aluminum batten roof system (low-roof) would be removed, restored, and re-installed with a new bracing system and insulation. Other repairs and alterations to the Nazario Courthouse's exterior, such as repairing the concrete fins on the building's exterior, are undertaken on an ongoing basis in order to keep the building in working order and would be completed in kind.

Construction of the Proposed Action would be completed over approximately three years with an anticipated award date of November 2027 (pending receipt of construction funding).



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DRAFT ENVIRONMENTAL ASSESSMENT FOR THE NEW US COURTHOUSE ANNEX
FEDERICO DEGETAU FEDERAL BUILDING AND CLEMENTE RUIZ NAZARIO US COURTHOUSE

Aerial View of Project Site

Exhibit 4



Source: GSA

DRAFT ENVIRONMENTAL ASSESSMENT FOR THE NEW US COURTHOUSE ANNEX
FEDERICO DEGETAU FEDERAL BUILDING AND CLEMENTE RUIZ NAZARIO US COURTHOUSE

Conceptual Rendering of Proposed Annex Building Looking SW

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Exhibit 5



Source: GSA

DRAFT ENVIRONMENTAL ASSESSMENT FOR THE NEW US COURTHOUSE ANNEX
FEDERICO DEGETAU FEDERAL BUILDING AND CLEMENTE RUIZ NAZARIO US COURTHOUSE

Conceptual Rendering of Proposed Annex Building Looking SE

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Exhibit 6

2.2 No Action Alternative

The No Action Alternative would not address the 2034 projected program of the U.S. Courts and USMS Publication 64 and would result in continued operational and security deficiencies within the existing Nazario Courthouse. In addition, the Nazario Courthouse would continue to be non-compliant with seismic safety standards for existing federal buildings under ICSSC RP-10 and would continue to pose an increased health and safety risk during seismic events corresponding to two-thirds of the MCE ground motion.

Thus, the No Action Alternative would result in continued inefficient critical action operations and continued operational and security deficiencies within the Complex, which would continue to impact the critical mission of the U.S. District Courts and judicial system not only in Puerto Rico, but for the general population served throughout the Caribbean.

3.0 Affected Environment and Environmental Consequences

This section describes the existing environment that may be affected by implementation of the Proposed Action and serves as a baseline from which to identify and evaluate potential social, economic, and environmental impacts. Through internal and external scoping, the GSA has identified the following environmental topic areas to evaluate in detail in this EA.

1) Land Use and Zoning
2) Soils and Geological Conditions
3) Landforms
4) Biological Resources
5) Floodplains
6) Air Quality
7) Noise
8) Socioeconomic
9) Visual Quality and Urban Design
10) Historic Resources
11) Utilities and Services
12) Traffic and Transportation
13) Hazardous Materials

3.1 Environmental topics considered but dismissed from further study

GSA considered, but dismissed from detailed analysis, the following resource areas:

- Population and Housing
- Community Facilities
- Open Space
- Farmland Protection
- Coastal Zone Management

The reasons for dismissing these resource areas include the following:

3.1.1 Population and Housing

The Proposed Action Alternative would not increase the number of employees at the Project Site. As such, the Proposed Action Alternative would not result in changes to the existing or future

population of the surrounding community that would impact housing needs. As such, this topic was dismissed from further analysis in this Draft EA.

3.1.2 Community Facilities

There are no community facilities, such as libraries, parks, community centers, or other facilities, in the Project area. The Nazario Courthouse would remain in service during the seismic retrofit and during the construction of the Annex and would not interrupt courthouse operations. As such, this topic was dismissed from further analysis in this Draft EA.

3.1.3 Open Space

The Proposed Action Alternative would occur within an already developed area located between the existing Degetau Federal Building and Nazario Courthouse, which is currently characterized by surface parking lots, an emergency generator building and associated structures, isolated landscaped areas, and pathways. Project impacts would occur in areas previously disturbed by prior grading, construction, and operational use and would not result in impacts to larger open spaces within the Complex. As such, this topic was dismissed from further analysis in this Draft EA.

3.1.4 Farmland Protection

The Proposed Action Alternative would occur within an already developed area located between the existing Degetau Federal Building and Nazario Courthouse, which is currently characterized by surface parking lots, an emergency generator building and associated structures, isolated landscaped areas, and pathways. As such, the Project would not impact an area dedicated to farmland. Further, the Project Site and surrounding area has a density greater than 30 structures per 40-acre area and, as such, is not considered “farmland” as it is an area “committed to urban development” per Section 658.2 of the Farmland Protection Policy Act. As such, this topic was dismissed from further analysis in this Draft EA.

3.1.5 Coastal Zone Management

The Project Site is located greater than 1,000 meters from the nearest coastline and is, therefore, outside of the coastal zone boundary as defined by the Puerto Rico Coastal Zone Management Program. Under this program, the coastal zone generally extends inland 1,000 meters from the shoreline, with additional inland areas included only where necessary to protect key coastal natural systems. Because the Project Site lies outside this designated coastal zone and would not affect coastal uses or resources, this topic was dismissed from further analysis in this Draft EA.

The description and analysis of the affected environment focus on resource areas which may be potentially impacted as a result of the Proposed Action.

3.2 Methodology

The following section summarizes the existing physical, biological, social, and economic conditions of the study area. For each resource area analyzed in the following section, the area that could be impacted by the Project is defined, and the elements or components of the resource that may be potentially affected are described. For some resources, the geographic area for analysis extends beyond the boundaries of the study area. For other resources, the area of analysis is located within the footprint of the study area.

3.2.1 Types of Effects

For the purposes of this Draft EA, the reasonably foreseeable effects evaluated in this document are defined as follows:

Direct effects
Effects that are caused by the action and occur at the same time and place.

Indirect effects
Effects that are caused by the action and are later in time or farther removed in distance but are still reasonably foreseeable. Indirect effects also include "induced changes" in the human and natural environments.

Identified effects may be either adverse or beneficial. For this Draft EA, the following definitions are used:

Beneficial effects
Those effects which are regarded as having a positive and supportive effect on the analyzed resource. A beneficial effect constitutes a positive change in the condition or appearance of the resource or a change that moves the resource toward a desired condition.

Adverse effects
Those effects which are regarded as having a negative and harmful effect on the analyzed resource. An adverse effect causes a change that moves the resource away from a desired condition or detracts from its appearance or condition.

3.2.2 Evaluation Criteria

Evaluation criteria (or significance criteria) provide a structured framework for assessing effects, supporting conclusions regarding the significance of effects, and comparing effects between alternatives.

The significance of effects is determined systematically by assessing three parameters of environmental effects: magnitude, duration, and extent. Each parameter is divided into the following levels:

Magnitude
- Major: Substantial effect or change in a resource that is easily defined, noticeable, and measurable, or exceeds a standard.
- Moderate: Noticeable change in a resource occurs, but the integrity of the resource remains intact.
- Minor: Change in a resource occurs, but no substantial resource effect results.
- Negligible: The effect is at the lowest levels of detection – barely measurable but with perceptible consequences.
- None: The effect is below the threshold of detection with no perceptible consequences.

Duration
- Permanent: The effect would last indefinitely.

- Long-term: The effect would likely last for the duration of the Project, or for as long as the Annex structure is in operation.
- Short-term: The effect would last for the duration of the construction phase.
- Temporary: The effect would last for a portion of the construction phase.

Extent

- Regional: Would affect the resource on a county, regional, or state level, extending well past the immediate study area. These may also include effects that would extend beyond the Campus to the Island of Puerto Rico.
- Localized: Would affect the resource only in the study area or its immediate surroundings and would not extend past the Hato Rey area of San Juan, Puerto Rico.
- Site-specific: Would affect the resource over a portion of the study area.

3.3 Resource Areas

3.3.1 Land Use and Zoning

Affected Environment

The Hato Rey Federal Complex is located at 150 Carlos E. Chardón Avenue in the Hato Rey District of San Juan, Puerto Rico. The Hato Rey District is located within the northeast portion of Puerto Rico. The Complex is 27 acres in size and comprises the Nazario Courthouse, Degetau Federal Building, link building, FBI Building, child development center, a federal employee parking garage, surface parking lots, access roads, and maintained landscaped areas (**Exhibit 2 – Project Location**). The Complex parcel is zoned as Federal Property while the surrounding area is primarily characterized by commercial uses. In addition, there are institutional, governmental, and residential uses within the general vicinity of the Complex. Specifically, there are commercial uses to the east, south, and west. To the north, the Complex is bound by Carlos E. Chardón Avenue. Across Carlos E. Chardón Avenue there are commercial uses, institutional uses, and local government offices and surface parking lots. Beyond the surface parking lots to the north and beyond the commercial uses to the south there are residential uses consisting of high-density apartments and condominiums and low-density single-family homes, respectively.

Environmental Consequences

The Hato Rey Federal Complex is the largest facility under the GSA's jurisdiction in the Caribbean. The Proposed Action would modernize and improve the structural integrity of the existing Nazario Courthouse to withstand the seismic demands associated with a seismic event corresponding to two-thirds of the MCE ground motion and would construct a new Courthouse Annex to meet the U.S. Courts' space needs and resolve compromised operational and security deficiencies within the existing courthouse. Implementation of the Proposed Action would not result in changes to the existing land use or zoning of the Complex, nor would it result in the expansion of the existing Complex parcel. In addition, the Proposed Action would be consistent with the existing land use and zoning of the Complex parcel and would be compatible with uses within the surrounding area. Thus, the Proposed Action would have no adverse effects on land use and zoning of the existing parcel or surrounding land uses and zoning designations.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect related to the land use and zoning of the existing Complex parcel or surrounding land uses and zoning designations.

3.3.2 Soils and Geologic Conditions

Affected Environment

The island of Puerto Rico is located south of the Puerto Rico Trench between the North American and Caribbean tectonic plates, and thus is in a region of high seismicity. The Puerto Rico Trench is a tectonic plate boundary where the North American plate slides by and descends under the Caribbean plate. These active elements present significant earthquake hazards to the north coast of Puerto Rico where the majority of the island's population is concentrated.[1] The last major earthquake sequence in Puerto Rico was a magnitude 6.4 event that occurred on January 7, 2020. According to a U.S. Geological Survey (USGS) forecast issued on January 29, 2020, aftershocks from the magnitude 6.4 earthquake are anticipated to persist for years to decades with decreasing frequency and varying intensities. The USGS stated that the magnitude 6.4 earthquake sequence was very active and that the probability of magnitude 5 and 6 or greater aftershocks would remain high into the future. The region has experienced earthquakes for centuries; however, because Puerto Rico had not experienced an event of similar magnitude since 1918, the magnitude 6.4 event took islanders by surprise, and resulted in the displacement of approximately 7,500 people.[2]

The island of Puerto Rico can be divided into three major physiographic provinces—the Upland Province, Northern Karst Province, and Coastal Plain Province—all of which have distinctive characteristics in both relief and landforms. The Coastal Plain Province is an area predominantly consisting of deposition and alluvium; however, in the northern portion of Puerto Rico, near San Juan, coastal plain deposits are predominantly composed of sand and small amounts of clay. Most deposits are located within floodplains and ancient distributaries of the rivers that drain into the Atlantic Ocean. Between the present and past mouths of rivers are great lagoons, such as the Laguna San Jose, the southwestern half of which is located within the Municipality San Juan. According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey for San Juan, Puerto Rico, the Complex is entirely composed of soils classified as urban land. Soils classified as urban land soils have been disturbed through development and no longer contain a natural profile.[3] These soils are also dominated by large areas of impervious cover, such as the Complex and surrounding development consisting of commercial, institutional, governmental, and residential uses. Soils within the Complex have been significantly disturbed due to prior grading, construction, and landscaping, and support buildings, surface parking lots, and/or maintained landscaping.

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1 United States Geological Survey. Geologic Setting. USGS Open-File Report 2004-1400. Accessed March 19, 2026. https://pubs.usgs.gov/of/2004/1400/htmldocs/intro.htm.

2 United States Geological Survey. 2020 Southwest Puerto Rico Earthquake Sequence. Communications and Publishing. Accessed March 19, 2026. https://www.usgs.gov/news/featured-story/magnitude-64-earthquake-puerto-rico.

3 United States Department of Agriculture. 2019. Web Soil Survey. Generated April 8, 2026. https://websoilsurvey.nrcs.usda.gov/app/.

Environmental Consequences

A Geotechnical Report prepared by Jaca & Sierra dated April 18, 2023, represents the results of the geotechnical exploration conducted at the site of the proposed Annex.[4] Field investigations included subsurface drilling and six borings taken at depth varying from 15 to 105 feet below ground elevation. The predominant geology at the site consists of alluvium (Qa) and older alluvial deposits (QTt). According to the description of the USGS geology map, the alluvium consists of a mix of sand, clay, and sandy clay, while the older alluvial deposits are predominantly clay soils with varying contents of silt and sand. The site is characterized by a stiff clay layer transitioning to the weathered limestone formation at depth. The clay layer extends to a depth of about 33 to 59 feet below the surface and is mostly silty clay with a sand content varying between approximately 10 to 40 percent. Standard penetration tests (SPT) N-values were between 2 to 39 blows per feet (BPF), but mostly in the order of 15 to 25 BPF for a stiff to very stiff consistency. Some exploratory boreholes reveal zones of soft soils and cavities that coincide with the groundwater level, which occurs in limestone formations due to their proneness to erosion. Groundwater was found to vary between 9 to 44 feet. Groundwater fluctuations tend to erode the limestone, forming cavities, which then become filled with clay, silt and sand from the overlying alluvial deposits that seep through the porous limestone. Thus, the presence of other cavities throughout the site cannot be discarded.

According to the analysis of the data, the relative ground density based on the SPT N-values and using the ASCE 7-16 criteria, the site is classified as a type E. A type E classification corresponds to soft clay soils that are not suitable for shallow foundations. Per the Geotechnical Report, grading for the proposed Annex building should be performed in accordance with the applicable codes and in accordance with the project specifications that are prepared by the appropriate design professional. The Geotechnical Report provides geotechnical recommendations related to foundation systems, ground improvement alternatives, site grading and filling, new stormwater pipe installation, and further geotechnical support. In addition, the Geotechnical Report provided recommendations related to foundation design parameters (i.e., improved bearing and lateral load capacities), deep foundations, seismic design parameters, and recommendations for continued project plan review, observation, and/or additional testing. Refer to the Geotechnical Report prepared for the Proposed Action for full detailed recommendations.[5]

Based on the revised Geotechnical Report by Jaca & Sierra dated September 12, 2023, the Complex is classified as type C, which consists of a bearing stratum containing very dense soils/soft rock. Boring investigations note the presence of cavities within the soil, which may be due to groundwater fluctuation eroding limestone formations. The Proposed Action would be required to implement the recommendations included in the September 2023 Geotechnical Report related to foundation systems, ground improvement alternatives, site grading and filling, and soil stability.

Construction and site preparation of the proposed Annex would consist of grading, excavation, and filling, which would impact previously disturbed and natural soils within the proposed construction

Jaca & Sierra. 2023. Geotechnical Report. U.S. Courthouse Annex Building, San Juan, Puerto Rico.

5 Jaca & Sierra. 2023. Geotechnical Report. U.S. Courthouse Annex Building, San Juan, Puerto Rico.

area (**Exhibit 2 – Project Location**). Anticipated ground disturbance within the proposed construction area would take place within a 44,446 SF site footprint. The Proposed Action would involve localized ground disturbance at a maximum of 90 feet for the pile foundations and 55 feet for the building foundation (mat foundation). Soil erosion hazards would be highest during construction activities because excavation, backfilling, and grading can expose areas of loose soil that, if not properly stabilized, can be subject to soil loss and erosion by wind and stormwater runoff. Concentrated stormwater runoff, if not managed or controlled, can eventually result in significant soil loss that can threaten foundations and undermine sidewalks and roadways. As such, the Proposed Action would implement best management practices (BMPs) to prevent or reduce soil erosion and soil pollution/contamination during and after construction. BMPs that the GSA would consider may include, but would not be limited to, installing silt fencing and sediment traps, placing gravel or riprap for heavy vehicle transit, and limiting off-site erosion of disturbed soils. To the extent practicable, existing disturbed and developed land within the Complex would be used for staging construction equipment and stockpiling.

A Final Report on the Clemente Ruiz Nazario Federal Courthouse (Final Report) was prepared by Dattner Architects, Thornton Tomasetti, Inc., and Toscano Clements Taylor, LLC, and dated July 16, 2025. This Final Report details a series of studies that were completed on the Nazario Courthouse to determine the building's predicted performance during foreseeable seismic events. The studies concluded that the Nazario Courthouse could not resist seismic demands associated with a seismic event corresponding to two-thirds of the MCE, which represents an earthquake that on average occurs once every 2,500 years. Based on a site-specific Probabilistic Seismic Hazard Analysis (PSHA) of the Nazario Courthouse, shaking intensities were lower than those in the code for taller buildings such as the Degetau Federal Building but are more severe for shorter buildings with lower fundamental periods of response. In addition, concrete material testing conducted in 2023 determined that the existing concrete design strength of the Nazario Courthouse did not meet the required design strength specified on the original structural documents, which was indicated as 4,000 pounds per square inch (PSI). Several of the samples had a specified design strength of less than 4,000 PSI, which does not meet seismic safety standards.

A Seismic Hazards Evaluation of the Nazario Courthouse to determine the structure's ability to safely support gravity loads (its own weight and superimposed loads) found that the low concrete strength has a limited effect on the structure's ability to support gravity loads. In addition, a Comprehensive Seismic Assessment of the Nazario Courthouse was conducted to determine the structure's ability to prevent total or partial collapse (collapse prevention) under three earthquake scenarios representing a range of seismic intensities (very strong, strong, moderate). Accounting for all potential uncertainties, the Nazario Courthouse was assessed as having a collapse probability of less than 1 percent under the moderate and strong earthquake scenarios, and between 10 percent and 40 percent under the very strong earthquake scenario. Additionally, these probabilities were quantified over two time frames (each scenario occurring within the next 50 years and next 5 years) to assess the likelihood of each scenario occurring within a given time horizon. A 50-year horizon is typically used for decisions with long-term implications, such as retrofitting or acquiring a property, while the 5-year horizon is relevant for more short-term decisions, including evacuation planning or occupancy assessments. The results found that for long-term use, the Nazario Courthouse had a greater collapse risk than a new building while the short-term use carried a lower risk of collapse during the time period than a brand-new building

would over the next 50 years of use. Based on these results, the Nazario Courthouse's structural members were found to satisfy safety criteria for moderate and strong scenarios; however, the elevated risk of injury from the unreinforced concrete masonry unit (CMU) walls results in an overall building rating that does not meet the intent of life safety standards for those events. Based on the evaluation and consideration of retrofit alternatives, the GSA determined that the best retrofit alternative consisted of increasing the stiffness and strength of the existing structural system of the Nazario Courthouse by adding new concrete shear walls to the building's interior and reinforcement of existing structural elements, which would improve the building's seismic safety performance and would exceed the minimum safety requirements to reduce disruption after a major earthquake event.

A Concept Design Report for the seismic retrofit of the Clemente Ruiz Nazario Federal Courthouse was prepared by Davis Bordy Bond and dated April 3, 2026. According to the Concept Design Report, further site visit investigations of the Nazario Courthouse were conducted on February 5-6, 2026 to assess the proposed shear wall locations. Based on the previous study recommendations and additional site visit investigations, the Nazario Courthouse would be retrofitted with new special reinforced concrete shear walls at the central core of the building. The Proposed Action would also include new deep foundations within the existing footprint of the building, an upgraded and restored roof, as well as other exterior restoration activities completed with in-kind materials.

Given that the island of Puerto Rico is located within a high seismicity region and based on the studies discussed above, construction of the new Annex and the seismic retrofit of the existing Nazario Courthouse would comply with required performance requirements, including the ICSSC RP-10, IBC, ASCE 7-22 criteria, PBS Interim Core Building Standards, USMS Publication 64, and U.S Court Design Guide standards and seismic demands. Further, construction of the new Annex and the seismic retrofit of the existing Nazario Courthouse would be designed in accordance with structural recommendations and design criteria described above. As such, the construction of the Proposed Action would have a direct, permanent, minor, localized, and adverse effect on geology and soils. While the Nazario Courthouse would be more resilient to seismic risks following completion of the Proposed Action, the proposed activities would have no effect on geology and hazards following their completion. The Proposed Action would not alter the seismic risks experienced by the greater Project area under existing conditions. As such, upon completion, the Proposed Action would have no effect on geology and hazards.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect related to soils or geological conditions.

3.3.3 Landforms

Affected Environment

As previously stated, the Complex has been significantly disturbed by prior grading, construction, and current operational activities. The Complex is relatively flat with a slight slope to the east. There is a man-made drainage canal with sloped concrete walls along the eastern boundary of the Complex, which conveys stormwater from the Complex to the San Jose Lagoon. The Complex is already substantially developed with existing structures, including the Nazario Courthouse,

Degetau Federal Building, FBI Building, child development center, a federal employee parking garage, surface parking lots, access roads, and maintained landscaped areas. In addition, the Complex contains a corridor of trees along the northern boundary of the site and scattered trees throughout the parcel, primarily within the western portion of the Complex. The surrounding area consists of a densely populated, predominantly commercial urban environment with primary access along the heavily trafficked Carlos E. Chardón Avenue.

Environmental Consequences

The Complex does not include and is not adjacent to natural landforms and features. The Complex is fully developed with existing structures and maintained landscaping. Additionally, the Complex is surrounded by substantial development and various uses. Construction activities associated with the new Annex would occur within previously disturbed land and/or already developed areas within the Complex and within the existing footprint of the Nazario Courthouse. The Proposed Action would take place within the western portion of the Complex and would be limited to the proposed construction area as shown in **Exhibit 2 – Project Location**. As such, the Proposed Action would have no adverse effect on landforms.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect related to landforms.

3.3.4 Biological Resources

Affected Environment

As previously stated, the 27-acre Complex is fully developed with multiple buildings, surface parking lots, access roads, and maintained landscaped areas. Landscaped areas include maintained lawns and trees, including calophyllum trees and royal palm trees. Most of the existing trees within the Complex are concentrated along the northern boundary along Carlos E. Chardón Avenue. The Complex is located within an urbanized area and is surrounded by extensive commercial development as well as institutional, governmental, and residential uses. Typical urban species that may be present within the Complex include rock doves and green iguanas, which have been previously observed on and along the perimeter of the Complex.

The U.S. Fish and Wildlife Service's (USFWS) Ecological Services in the Caribbean website provides a list of threatened and endangered species and natural communities in Puerto Rico and the U.S. Virgin Islands (**Appendix B**). The only threatened or endangered species listed on the USFWS's Ecological Services in the Caribbean website that could potentially occur in the vicinity of the Complex is the Puerto Rico boa (*chilabothrus inornatus*). According to USFWS's Information for Planning and Consultation (IPaC) system (**Appendix B**), a report generated for the Proposed Action identifies the roseate tern (threatened) and the Puerto Rico boa (endangered) as species that have the potential to occur in the vicinity of the Complex. The roseate tern is found throughout the world and requires rocky, sandy, and vegetated beaches along shallow coastal waters. The Puerto Rico boa prefers rocky areas, haystack hills, trees and branches, rotting stumps, caves, plantations, and various types of forested areas such as karst and mangrove forests, forested urban and rural areas, and may be found along streams and road edges.

The Migratory Bird Treaty Act prohibits activities that result in the direct take (defined as killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the USFWS. The IPaC report does not specify specific migratory birds of concern that may occur in the vicinity of the Proposed Action and notes that no spatial data are available for migratory birds for the location of the Proposed Action. This finding reflects limitations in available data and does not suggest the absence of migratory birds. The Proposed Action would require the removal of five trees within an urbanized setting. The trees proposed for removal are not part of a forested area and are not known as significant migratory bird habitat.

The USFWS's National Wetlands Inventory identifies a freshwater emergent wetland feature within the eastern and southeastern portions of the Complex (**Appendix B**). However, this freshwater emergent wetland feature may have been identified in error as the location is fully developed and includes a portion of an existing residential building and man-made drainage canal with sloped concrete walls adjacent to the eastern boundary of the Complex. The freshwater emergent wetland feature is shown to extend west into developed areas of the Complex that are characterized by the FBI building, the child development center, surface parking lots, access roads, and maintained landscaped areas. The second closest wetland feature is an estuarine and marine wetland feature located across Carlos E. Chardón Avenue to the north; however, this emergent wetland feature also appears to have been identified in error, as the location is fully developed with a surface parking lot, roadways, and commercial buildings. The closest identified non-developed wetland is an estuarine and marine deepwater wetland located approximately 1,861 feet north of the Complex, which is separated from the Complex by intervening development (including commercial uses, residential uses, and roadways).

Environmental Consequences

As previously stated, the Complex is fully developed with multiple buildings, surface parking lots, access roads, and maintained landscaped areas. There are trees throughout the Complex with the main concentration of trees located at the northern boundary along Carlos E. Chardón Avenue, which would remain in place and would not be disturbed as part of the Proposed Action. However, five trees located within the central-west portion of the Complex would be removed to accommodate the construction of the new Annex. No trees are anticipated to be removed due to activities related to the seismic retrofitting of the Nazario Courthouse. The Complex is approximately 2 miles south of the nearest sandy coastline and beach, which is the preferred environment of the roseate tern. Additionally, the Complex does not contain rocky areas, haystack hills, rotting stumps, caves, plantations or forested areas, which are the preferred environments of the Puerto Rico boa. The Complex is characterized by the existing Nazario Courthouse, Degetau Federal Building, link building, FBI Building, child development center, federal employee parking garage, and other structures as well as surface parking lots, access roads, and maintained landscaped areas. Direct Project-related impacts would be limited to the existing Nazario Courthouse and the proposed Annex project footprint, which are currently characterized by existing impervious surfaces and limited ornamental landscaping. As such, there are no existing natural or human-made habitats on the Complex that would provide a high-quality habitat for the identified species.

According to the USFWS Critical Habitat for Threatened and Endangered Species online mapper, the nearest critical habitat is located approximately 8.4 miles west of the Complex and the nearest proposed critical habitat is located approximately 2.2 miles southeast of the Complex (**Appendix B**). Both the critical and proposed critical habitats are separated from the Complex by intervening development and vacant land. Further, the USFWS does not identify critical habitat for the listed species within the Complex or on land adjacent to the Complex. Nonetheless, because the Complex has been significantly disturbed by prior grading, construction, and current operational activities; is not located near designed critical habitats; and is surrounded by existing urban development, the Complex would not be a viable habitat for the threatened and endangered species identified in the IPAC report or list of threatened and endangered species and natural communities in Puerto Rico and the U.S. Virgin Islands. Therefore, the GSA determined that the Proposed Action would have no adverse effect on federally listed species or designated critical habitats.

The tree removal proposed as part of the Proposed Action could result in potential impacts to nesting birds; however, the USFWS does not identify any migratory birds of concern that have been observed in the Project area. Because the Proposed Action would result in removal of five trees as part of the construction of the proposed Annex building, these construction activities could result in temporary disturbance or the loss of potential nesting habitat. However, impacts would be limited in extent and duration and would not adversely affect migratory bird populations or regional habitat availability. To avoid and minimize potential effects, tree removal would be conducted outside of the peak nesting season (March 1 to August 31) to the extent practicable. If tree removal must occur during the peak nesting season, a qualified biologist would inspect trees for active nests prior to removal. If an active nest is identified, appropriate buffers would be established, and work would be delayed until the nest is no longer active. With implementation of these measures, the Proposed Action would not result in a violation of the Migratory Bird Treaty Act or significant adverse impacts to migratory birds. As such, the Proposed Action would have a negligible short-term, site-specific, adverse effect on migratory birds protected under the Migratory Bird Treaty Act.

The USFWS's National Wetlands Inventory identifies wetland features within the eastern and southeastern portions of the Complex and across Carlos E. Chardón Avenue to the north; however, there does not appear to be existing wetland features at these locations as these areas are fully developed and characterized by buildings, surface parking lots, roadways, and/or a man-made canal. Further, the closest non-developed wetland feature is located approximately 1,861 feet north of the Complex and is separated from the Complex by intervening urban development (including commercial uses, residential uses, and roadways). Additionally, the Proposed Action would implement standard construction BMPs in order to minimize erosion, sedimentation, and discharges of pollutants during construction-related activities. Such measures may include, but would not be limited to, installation of silt fencing or other sediment controls, stabilization of disturbed soils, and proper management of stormwater runoff. These measures would minimize the potential for off-site sedimentation. As such, given the distance between the Complex and the nearest wetland feature, and given the standard construction BMPs that would limit off-site erosion and sedimentation, the Proposed Action would have a negligible short-term, site-specific, adverse effect on the quality of any wetlands.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect related to vegetation and wildlife.

3.3.4.1 Natural or Depletable Resources

Affected Environment

The closest water feature is a man-made drainage canal with sloped concrete walls along the eastern boundary of the Complex, which carries and drains stormwater into the San Jose Lagoon. As discussed in more detail below, the entire Complex is located within a 500-year floodplain as designated by the Federal Emergency Management Agency (FEMA) (**Appendix B**). However, the Complex has been fully developed and is characterized by buildings, surface parking lots, access roads, and decorative landscaping consisting of lawns and trees. Although trees are present throughout the Complex, the main concentration of trees is located at the northern boundary along Carlos E. Chardón Avenue.

Additionally, although the USFWS's National Wetlands Inventory identifies a wetland within the eastern and southeastern portions of the Complex and a wetland across Carlos E. Chardón Avenue to the north, these wetlands are likely identified in error as these locations are fully developed and characterized by buildings, surface parking lots, roadways, and/or a man-made canal (**Appendix B**). The closest identified non-developed wetland is an estuarine and marine deepwater wetland located approximately 1,861 feet north of the Complex, which is separated from the Complex by intervening development (including commercial uses, residential uses, and roadways).

Further, according to the Geotechnical Report prepared for the proposed Annex by Jaca & Sierra and dated April 18, 2023 (amended September 2023), groundwater was found to vary between 9 to 44 feet (approximately 2.7 to 13.4 meters [M]) below grade.

Environmental Consequences

The Complex is located in an urbanized area and does not contain any natural or depletable resources. Historically, the Complex has been heavily disturbed by grading, construction, and current operational use. Although the entire Complex is identified as being located within a floodplain, as discussed above, the Complex has experienced significant ground disturbance. Significant ground disturbance at the Complex began in the 1970s with the construction of the Degetau Federal Building, Nazario Courthouse, and link building within the western portion of the federal campus, where the proposed Annex would be located. In addition, subsequent buildings, including a stand-alone child development center, an independent parking structure, and the FBI building and sally port as well as access roads, landscaping, and other supportive infrastructure, has resulted in significant disturbance to other areas of the federal campus. The proposed location of the Annex is between the existing Degetau Federal Building and Nazario Courthouse and is currently characterized by a surface parking lot, an emergency generator building and associated structures, landscaped areas, and pathways.

Additionally, although most of the existing trees within the Complex would remain in place, five trees located within the central-west portion would be removed to accommodate the construction of the new Annex. Additional trees, including small trees and medium-sized palms, tall plants, and other native vegetation, would be installed in the central garden and courtyards within the main entry and lobby of the proposed Annex. As such, the Proposed Action would have a minor, temporary, site-specific, adverse effect on natural resources.

In addition, the Proposed Action would occur on previously developed areas within the Complex. Thus, the Proposed Action would not result in a substantial increase of impervious surfaces as compared to existing conditions. As such, the Proposed Action would have a negligible, temporary, localized, adverse effect on groundwater supplies.

As such, implementation of the Proposed Action would not result in significant impacts to trees, wetland features, or groundwater recharge compared to existing conditions. Therefore, the Proposed Action would have a minor, short-term, site-specific, adverse effect on natural or depletable resources.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect on natural or depletable resource impacts.

3.3.5 Floodplains

Affected Environment

The entire Complex is located within a federally designed 500-year floodplain as identified by FEMA's Flood Insurance Rate Map (FIRM) Panel Numbers 72000C0365J and 72000C0370J (**Appendix B**). FEMA identifies flood hazard areas throughout the U.S. and its territories by producing Flood Hazard Boundary Maps, FEMA FIRMs, and Flood Boundary and Floodway Maps. Several areas of flood hazards are commonly identified on these maps, including Special Flood Hazard Areas or high-risk areas defined as any land that would be inundated by a 1 percent annual chance (100-year) flood event (also referred to as the base flood).

Per Executive Order (EO) 11988, federal agencies are required to take action to reduce the risk of flood loss and to avoid, to the extent possible, the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and the direct or indirect support of floodplain development wherever there is a practicable alternative.

FEMA has defined a facility as a "critical action" when even a slight chance of flooding is too great. If critical action structures (structures within a floodplain) must be located within a 100-year floodplain or a 500-year floodplain, critical infrastructure must be elevated above the applicable floodplain elevation. Critical action designations are established under the decision-making process outlined in GSA Order PBS 1095.8B, Floodplain Management, and its companion PBS Floodplain Management Desk Guide. According to GSA's PBS Interim Core Building Standards Memorandum (Appendix A of Memorandum), Section 8 Civil, a U.S. Court is a critical action facility. In addition, the Nazario Courthouse is considered a critical action facility due to its

ongoing function as a courthouse that stores irreplaceable records. Federal agencies must use higher standards when it determines an action to be critical.

Environmental Consequences

Given that the entire Complex is located within a federally designed 500-year floodplain (FEMA FIRM Panel Numbers 72000C0365J and 72000C0370J) and that the proposed new Annex and Nazario Courthouse are considered critical actions, the GSA would be required to comply with critical action criteria outlined in the GSA's Order PBS 1095.8B, Floodplain Management, and its companion PBS Floodplain Management Desk Guide. Because the proposed critical actions are located within a 500-year floodplain, the new Annex would be designed with a proposed Finished Floor Elevation (FFE) of the 100-year base flood elevation (BFE) plus an additional 3 feet or 0.91 M or the 500-year BFE, whichever is higher. The new Annex FFE is presented in **Table 2** below. In addition, the seismic retrofitting of the Nazario Courthouse would be designed to safeguard and prevent damage from potential flood hazard impacts pursuant to Order PBS 1095.8B and the PBS Floodplain Management Desk Guide.

Table 2: New Annex Finished Floor Elevation (FFE)

BFE	Elevation (meters)	Additional Height Required Above BFE (meters)	FFE (meters)
1% (100-Year)	5.54	0.91	6.45
0.2% (500-Year)	5.88	0	5.88
		Proposed FFE	**6.45**

As shown in **Table 2**, the 100-year BFE is the highest FFE at 6.45 M. Therefore, the Annex would be designed with a proposed FFE of 6.45 M. Further, the new Annex building would be constructed pursuant to IBC and U.S. Courts Design Guide requirements and ASCE 7-16 criteria, and would be constructed to meet or exceed baseline performance standards of PBS Interim Core Building Standards Memorandum (Appendix A of Memorandum).

As previously stated, the Complex parcel has been significantly disturbed due to prior grading, construction, and landscaping. The proposed construction area for the new Annex is currently developed with a surface parking lot, an emergency generator building and associated structures, decorative landscaping, and pathways and is located adjacent to the existing Nazario Courthouse, Degetau Federal Building, link building, and other infrastructure. Thus, implementation of the Proposed Action would not substantially alter the floodplain compared to existing conditions. Therefore, the Proposed Action would have minor, temporary, site-specific adverse effects on a 500-year floodplain.

Additionally, because the Proposed Action is a critical action (courthouse use) located in a 500-year floodplain, the GSA will comply with Executive Order 11988, Floodplain Management. Any required floodplain decision-making, including completion of the 8-step process and associated public noticing, will be finalized prior to agency approval of the Proposed Action.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect on floodplains.

3.3.6 Air Quality

Affected Environment

The Clean Air Act requires that the U.S. Environmental Protection Agency (USEPA) establish primary and secondary National Ambient Air Quality Standards (NAAQS) for air pollutants that are considered harmful to the public and environment. Criteria air pollutants are defined as those pollutants for which the federal government has established air quality standards for outdoor or ambient concentrations to protect public health with a determined margin of safety. The USEPA focuses on the following criteria pollutants to determine air quality: ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), coarse particulate matter (PM_{10}), fine particulate matter ($PM_{2.5}$), and lead (Pb). O_3, PM_{10}, and $PM_{2.5}$ are generally considered to be regional pollutants because they or their precursors affect air quality on a regional scale. Pollutants such as CO, NO_2, and SO_2 are considered to be local pollutants because they tend to accumulate in the air locally. PM is also considered a local pollutant. The USEPA designates air basins or portions of air basins and counties as being in "attainment" or "nonattainment" for each of the criteria pollutants. Areas that do not meet the standards are classified as nonattainment areas (NAAs). The NAAQS for O_3, PM_{10}, and $PM_{2.5}$ are based on statistical calculations over one- to three-year periods, depending on the pollutant.

Puerto Rico is composed of 78 municipalities (counties). According to the USEPA's Status of Puerto Rico Designated Areas, most municipalities within Puerto Rico are designated as unclassified/attainment for all federal standards of criteria air pollutants except for the Municipalities of Arecibo, Guaynabo, Guayama-Salinas, and San Juan. **Table 3** shows nonattainment and maintenance areas identified by the USEPA within Puerto Rico.

Table 3: USEPA's Status of Puerto Rico Designated Areas

Municipality	Pollutant	Classification	Status
Arecibo	Lead		Nonattainment
Guaynabo	PM_{10}	Moderate	Maintenance
Guayama-Salinas	SO_2		Nonattainment
San Juan	SO_2		Nonattainment

Source: USEPA. SIP Status Reports. Status of Puerto Rico Designed Areas. Accessed September 15, 2025. *https://www3.epa.gov/airquality/urbanair/sipstatus/reports/pr_areabypoll.html#co__1971_*.

As shown in **Table 3**, the Municipality of San Juan is designated as nonattainment for SO_2. SO_2 is primarily released to the atmosphere through the burning of fossil fuels by power plants and other industrial facilities. In 2020, the USEPA found that Puerto Rico had failed to submit the required SO_2 nonattainment plan by the submittal deadline. On November 22, 2022, the Puerto Rico Department of Natural and Environmental Resources (also known as the Departmento de Recursos Naturales y Ambientales, DRNA) submitted a nonattainment SO_2 plan for the San Juan and

Guayama-Salinas NAAs, which the USEPA deemed administratively and technically complete on December 2, 2022.

Based on the Puerto Rico Non-Attainment State Implementation Plan Sulfur Dioxide (SO_2) National Ambient Air Quality Standard (SIP), two areas (San Juan Metro Area and the Guayama-Salines Area), comprising several wards in different municipalities of Puerto Rico, were designated as nonattainment for the 2010 NAAQS for SO_2. Areas of nonattainment specific to the San Juan Metro area consist of several municipalities and wards, including a portion of the Municipality of San Juan (San Juan Antiguo, Santurce, Hato Rey Norte and Gobernador Piñero Wards), the Municipality of Cataño, a portion of the Municipality of Toa Baja (Palo Seco and Sabana Seca Wards), a portion of the Municipality of Guaynabo (Pueblo Viejo Ward), and a portion of the Municipality of Bayamón (Juan Sánchez Ward). Designations are based on USEPA mathematical dispersion modeling, which showed that the Puerto Rico Electric Power Authority (PREPA) plants located within the designated NAAs were the only contributors of the NAAQS exceedances. The DRNA prepared the projected emission inventory (2019-2030) for the 1-hour SO_2 non-attainment SIP in the areas of San Juan Metro and Guayama-Salinas, which identified the PREPA San Juan Power Plant and PREPA Palo Seco Power Plant in the San Juan Metro area, and PREPA Aguirre Power Plant in the Guayama-Salinas area as the principal SO_2 emitters. The projected emission inventory includes five years of SO_2 allowable emissions, from 2019-2023. This inventory shows the required reductions in SO_2 potential emissions that PREPA facilities should reach, to comply with the 1-hour SO_2 NAAQS.

According to the Federal Register (FR), the official journal of the federal government of the United States, 89 FR 79828 published on October 1, 2024, Puerto Rico is under a Finding of Failure to Attain for SO_2 in the San Juan NNA. Per 89 FR 79828, the USEPA is proposing to determine that the San Juan and Guayama-Salinas SO_2 NAAs failed to attain the 2010 1-hour primary SO_2 standard by the statutory attainment date of April 9, 2023; proposing to approve certain elements of Puerto Rico's SIP and outline requirements for nonattainment plans under Clean Air Act Section 172(c) to improve Puerto Rico's current SIP; and proposing to approve amendments to Puerto Rico's Regulation for the Control of Atmospheric Pollution, which include control measures, emissions limitations, and reporting requirements for sources in the NAAs. The USEPA has directed that Puerto Rico submit a revised SIP with an expeditious attainment plan for the San Juan area or the USEPA will issue a Federal Implementation Plan pursuant to the Clean Air Act Section 110(c).

As previously stated, the Complex is surrounded by substantial development. Primary air emission sources near the Complex include exhaust emissions from vehicles that travel along the heavily trafficked Carlos E. Chardón Avenue. Additionally, the Complex is within approximately 2,200 feet from two major highways: Puerto Rico Highway 18 (PR-18) to the west and Puerto Rico Highway 1 (PR-1) to the east.

Environmental Consequences

Ambient air quality impacts related to the Proposed Action were qualitatively assessed using publicly available data. The Complex is located within the Hato Rey Norte Ward within the Municipality of San Juan, which is part of the San Juan Metro area. Based on the USEPA's Status

of Puerto Rico Designated Areas, the Municipality of San Juan is in attainment for all federal standards of criteria air pollutants, except for SO_2. According to the Puerto Rico SIP, the DRNA identified the PREPA San Juan Power Plant and PREPA Palo Seco Power Plant in the San Juan Metro area as the principal SO_2 emitters.

As discussed above, the Proposed Action would not result in the construction of power plants and other industrial facilities that could emit or generate higher levels of SO_2; rather, the Proposed Action would retrofit the existing Nazario Courthouse to withstand regional seismic demands and would construct a new Annex to address space and functionality deficiencies within the existing federal buildings. Although the retrofitting of the existing Nazario Courthouse and construction of the proposed Annex would result in a negligible generation of SO_2 as well as other criteria air pollutants during construction, construction activities associated with the Proposed Action would be temporary in nature and would not exceed de minimis emission thresholds for criteria air pollutants.

Construction activities associated with the Proposed Action would be temporary in nature and would not result in the construction of power plants and other industrial facilities that could emit or generate higher levels of SO_2. As such, the Proposed Action is not anticipated to exceed de minimis emission thresholds for criteria air pollutants. Regarding operation, because the Project would not increase the number of employees accessing the site, and because the Campus already operates existing generators and fuels tanks on the Project Site that are permitted by DRNA, the increase in operational emissions associated with implementation of the Proposed Action is anticipated to be minor. Therefore, the Proposed Action would have a minor, short-term, site-specific, adverse effect on ambient air quality during construction and a negligible, long-term, localized, adverse effect on ambient air quality during operation.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect on ambient air quality.

3.3.7 Noise

Affected Environment

The Noise Control Act of 1972 (42 USC 4901) establishes a national policy to protect public health and welfare from harmful noise pollution. The act authorizes the USEPA to issue regulations to address sources of noise, finding "that inadequately controlled noise presents a growing danger to the health and welfare of the Nation's population, particularly in urban areas; that the major sources of noise include transportation vehicles and equipment, machinery, appliances, and other products in commerce." The act was amended by the Quiet Communities Act of 1978 (42 USC 4913), which promotes the development of effective state and local noise control programs.

The U.S. Occupational Safety and Health Administration (OSHA) established acceptable occupational noise exposure levels regulations (29 CFR 1910.95), which state employees must not be exposed to occupational noise levels greater than 90 A-weighted decibels (dBA) without adequate hearing protection. If occupational noise levels exceed 85 dBA, the employer must establish a hearing conservation program as described under 29 CFR 1910.95(c−o). For

occupational noise exposure levels greater than 90 dBA, the daily period of noise exposure must be less than eight hours, as described in 29 CFR 1910.95(b).

Environmental Consequences

Ambient noise levels at the Complex originate from the operation of the existing Nazario Courthouse, Degetau Federal Building, FBI Building, child development center, associated traffic and maintenance of the property. In addition, noise levels from the surrounding development are related to commercial, residential, institutional, and local governmental uses, and traffic-related noise generated from Carlos E. Chardón Avenue. The proposed new Annex would not be a noise-generating facility, nor would it generate noise that is out of character with existing uses and operations within the Complex. Additionally, the noise generated by the operation of the Annex would be typical of the urban environment surrounding the Complex. There are no design characteristics of the proposed Annex that would generate substantial noise levels that would be out of character for the Complex or surrounding area, such as amplified noise or large trucks. The most common and significant source of noise in the project area is traffic noise generated by vehicles traveling west and east along Carlos E. Chardón Avenue, located directly north of the Complex.

There is no clear Noise Ordinance in place for the Municipality of San Juan; however, per the Regulation of the Environmental Quality Board Control (EQBC) for the Control of Noise Pollution of the Commonwealth of Puerto Rico, emitting noise sources (residential, commercial, and industrial) are restricted to specified sound level limits associated with receiving zones classified as Zones I through Zone IV. Noise emission level limits among zones under Article IV of the Regulation of the EQBC for the Control of Noise Pollution of the Commonwealth of Puerto Rico are presented in **Table 4** below.

Table 4: Sound Level Limits dB(A) for Commonwealth of Puerto Rico

Emitting Sources	Receiving Zone I Residential Day	Receiving Zone I Residential Night	Receiving Zone II Commercial Day	Receiving Zone II Commercial Night	Receiving Zone III Industrial Day	Receiving Zone III Industrial Night	Receiving Zone IV Quiet Zone Day	Receiving Zone IV Quiet Zone Day Night
Residential	60	50	65	55	70	60	50	45
Commercial	65	50	70	60	75	65	50	45
Industrial	65	50	70	65	75	75	50	45

Source: Regulation of the EQBC for the Control of Noise Pollution of the Commonwealth of Puerto Rico.

Under Article I of the Regulation of the EQBC for the Control of Noise Pollution of the Commonwealth of Puerto Rico, courts of justice are defined as areas located within a Zone IV, Quiet Zone. As shown in **Table 4**, a Zone IV, Quiet Zone has a receiving daytime sound level limit of 50 dB(A) and a receiving nighttime sound level limit of 45 dB(A) for residential, commercial, and industrial noise-emitting sources. Per Article IV, Section 4.4 Exemptions, construction activities are permitted during daytime hours from 7:01 a.m. to 10:00 p.m.

During construction of the Proposed Action, construction-related noise may increase ambient noise levels compared to existing conditions; however, given that the surrounding area is highly commercialized and the Complex is adjacent to Carlos E. Chardón Avenue, any increase in noise during implementation of the Proposed Action would be minimal and temporary in nature. Additionally, under the Proposed Action, the Government will use its best efforts to comply with the Noise Zones and Regulation of the EQBC for the Control of Noise Pollution of the Commonwealth of Puerto Rico. Therefore, the Proposed Action would not result in a permanent increase to ambient noise levels. Upon completion of the Proposed Action, ambient noise levels would return to baseline conditions related to existing operations within the Complex and would be consistent with ambient noise sources within the surrounding area. As such, the Proposed Action would have a minor, short-term, site-specific, adverse effect on noise during construction and a negligible, long-term, localized, adverse effect on noise during operation.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect on ambient noise levels.

3.3.8 Socioeconomic

The analysis of socioeconomic resources identifies aspects of the social and economic environment that are sensitive to changes and that may be affected by actions associated with the Proposed Action. “Socioeconomic” describes the local demographics, income characteristics, and employment relevant to the Municipality of San Juan and Puerto Rico that could be potentially affected by the Proposed Action.

Affected Environment

The Municipality of San Juan in Puerto Rico the industrial and commercial center of Puerto Rico. The Port of San Juan is one of the busiest in the Caribbean. Local industries include petroleum, sugar, distilling, pharmaceuticals, clothing, tobacco and tourism.

Based on 2023 U.S. Census data, Puerto Rico has an estimated population of 3,254,885, of which an estimated 338,661 people reside in the Municipality of San Juan. As shown in **Table 5**, the Municipality of San Juan has a lower male population (45.7%) compared to the entire island of Puerto Rico (47.3%) whereas San Juan has a higher female population (54.3%) compared to Puerto Rico (52.7%). The percentage of people under the age of 18 are similar between San Juan (15.8%) and Puerto Rico (16.7%). The percentage of people 65 years and over, however, is higher in San Juan (24.8%) than Puerto Rico (22.7%) as a whole.

Table 5: Demographics for the Municipality of San Juan, Puerto Rico

Area	Population	Male Population	Female Population	Population Under 18 Years	Population 65 Years & Over
San Juan	338,661	45.7%	54.3%	15.8%	24.8%
Puerto Rico	3,254,885	47.3%	52.7%	16.7%	22.7%

Source: U.S. Census 2023 American Community Survey (ACS) 5-year Estimates, Puerto Rico, Table DP05 and ACS 5-year Estimates, San Juan, Table DP05

As presented in Table 6, the median household income in the Municipality of San Juan is $26,981, which is higher than the overall median household income for Puerto Rico at $25,096. The unemployment rate in San Juan (14.5%) is higher compared to Puerto Rico (12.1%). Additionally, the percentage of the population living below the poverty level is more than 2 percent higher for Puerto Rico (41.6%) compared to San Juan (39.5%).

Table 6: Employment and Income for the Municipality of San Juan, Puerto Rico

Area	Number of Households	Median Household Income	Unemployment Rate	Population Below the Poverty Level
San Juan	193,011	$26,981	14.5%	39.5%
Puerto Rico	1,575,105	$25,096	12.1%	41.6%

Source: U.S. Census 2023 American Community Survey (ACS) 5-year Estimates, Puerto Rico, Table DP03 and Table DP04; and ACS 5-year Estimates, San Juan, DP03 and Table DP04

Environmental Consequences

The Proposed Action is anticipated to result in short- and long-term beneficial impacts to local employment and income. A minor increase in construction-related employment opportunities would occur as a result of construction phases of the Proposed Action, which are anticipated to be filled by the existing regional workforce. However, these jobs are expected to be temporary in nature. During operation of the Proposed Action, the new Annex and existing Nazario Courthouse would support existing jobs and some new jobs related to ongoing site operations of the U.S. Courts and on-site maintenance of the facilities. However, the jobs associated with construction of the proposed Annex and implementation of the proposed seismic improvements to the Nazario Courthouse, as well as the operation of the new Annex building are not expected to alter area employment or income patterns. As such, the Project's influence on employment and income patterns is anticipated to be temporary and/or negligible. Further, the Proposed Action would be consistent with the 2034 projected program of the U.S. Courts and the USMS Program document. Thus, the Proposed Action would have a direct and indirect minor, short-term, regional, beneficial effect on socioeconomics during construction due to creation of construction jobs and spending in the local community and direct and indirect minor, long-term, regional, beneficial effects on socioeconomics during operation resulting from new employees and subsequent spending in the local community.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect on employment and income.

3.3.9 Visual Quality and Urban Design

Affected Environment

As previously stated, the existing 27-acre Complex parcel consists of a park-like setting with several buildings within a secured and fence-lined federal campus. The Complex is set back from the primary entrance point along Carlos E. Chardón Avenue and includes large, landscaped areas, parking lots, and an entrance driveway that together form a small campus on the western half of the site. The existing link building, Nazario Courthouse, and Degetau Federal Building were constructed by the GSA in 1974 when the administration adopted the tenants of modernism as appropriate principles for the expression of federal buildings. The buildings were designed in a brutalist architectural style and constructed of concrete and reinforced steel frames. The sandblasted concrete finish of the buildings, modular arrangement, and rhythmic and proportional consistency manifest the characteristics of brutalist design, which is one of the primary branches of modernist architecture during this period. The Nazario Courthouse consists of a low-rise courthouse building with a mid-to-high rise backdrop federal office building, the Degetau Federal Building. The Nazario Courthouse is located within the northwest corner of the Complex while the Degetau Federal Building lies south of the Nazario Courthouse within the southwest corner of the Complex. The primary elevations of the buildings face each other on a 45-degree angle with the entry driveway creating a drop-off loop between the buildings. Both buildings are accessed via the entrance link building, a single-story structure that houses the security screening processes and connects both buildings. Modernist buildings exhibit elements of both formalism and brutalism. Formalist elements include the symmetrical and flat roofs of both buildings and projecting fins between the windows and allude to classical columns. The buildings' exposed concrete walls are also a hallmark of a brutalist architectural style.

The Nazario Courthouse and Degetau Federal Building have been altered heavily since construction but still reflect the original design intent. Interior alterations have included but are not limited to new space additions and upgrades. Exterior alterations included the addition of a generator and fuel enclosure behind the Degetau Federal Building in 2001; new glazing to meet security and environmental requirements, including energy efficiency, ballistic and blast mitigation; and moisture and hurricane resistance installations as well as the installation of new aluminum window frames finished in bronze anodizing to match the original windows. In addition, the link building was altered with a Y-shaped addition to accommodate a security pavilion and associated operations.

Additional buildings have been constructed over the past 50 years, including a stand-alone child development center, an independent parking structure, and the FBI building and sally port as well as other on-site infrastructure improvements and additions. Most of the new additional structures were constructed to the east of the main driveway within the eastern portion of the Complex.

Environmental Consequences

Although the Proposed Action would occur within already developed areas, the Proposed Action would alter the existing visual landscape of the Complex by constructing a new Annex and expanding the functional use of the existing link building. The seismic retrofit of the existing Nazario Building would have no visual effect on the existing landscape. The seismic retrofit of the

existing Nazario Courthouse would comply with required performance requirements for all federal buildings, while construction of the new Annex would be consistent with the existing land use and zoning of the Complex parcel and compatible with surrounding uses.

The proposed new Annex would consist of a nine-story building with a basement parking level and would be designed to comply with the Presidential Memorandum, "Promoting Beautiful Federal Civic Architecture," issued on January 20, 2025. The Annex would be located within the central-west portion of the Complex between the existing Nazario Courthouse and Degetau Federal Building. This placement of the Annex presents the building as a separate building, enables the Nazario Courthouse and Degetau Federal Building to retain their original profiles and volumes, and connects the new Annex to the existing buildings along their rear façades and via the basement and first floor levels.

During construction, there would be direct, short-term, minor, site-specific, adverse effects because construction activities would detract from the ability to view the structures on the Campus that are eligible for the National Register of Historic Places. During operation, the Proposed Action would have direct, long-term, minor, site-specific, beneficial impacts associated with prolonging the useable life of the Nazario Courthouse structure through seismic retrofit activities and through construction of the Annex building that would complement the design and function of the existing structures.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect on visual quality and urban design.

3.3.10 Historic Resources

Section 106 of the NHPA requires federal agencies to consider the effects of their undertakings on cultural resources, including historic and archaeological resources, and to consult with the State Historic Preservation Office (SHPO), and afford SHPO a reasonable opportunity to comment on ways to avoid, minimize, or mitigate adverse effects to cultural resources.

Historic resources are cultural resources that are either listed in or eligible for listing in the National Register of Historic Place (NRHP). The review process, known as Section 106 review, is detailed in 36 CFR Part 800. Potential impacts of the No Action Alternative and the Proposed Action Alternative (Preferred Alternative) on historic resources are evaluated below pursuant to NEPA regulations.

Affected Environment

Construction of the proposed Annex constitutes an undertaking pursuant to 36 CFR 800.16(y) regulations implementing the NHPA, which requires consultation with the Puerto Rico SHPO (PR SHPO). As part of required compliance with Section 106 of the NHPA, the GSA prepared a Determination of Eligibility (DOE) for the NRHP for the Nazario Courthouse, Degetau Federal Building, and link building (**Appendix C**). The following is based on the determinations provided in the DOE. In addition, the following analysis includes a summary of the correspondence with Puerto Rico SHPO.

Determination of Eligibility for the National Register of Historic Places

The NRHP outlines four criteria (Criteria A–D) used to determine eligibility for listing. Under these criteria, the GSA determined that all three buildings, the Nazario Courthouse, Degetau Federal Building, and link building, were eligible for listing under the NRHP. As shown in **Table 7** below, the Nazario Courthouse, Degetau Federal Building, and link building were found to be eligible for inclusion in the NRHP under Criterion A and C:

Table 7: National Register of Historic Places Criterion and Determination of Eligibility

Criterion	Determination	Meets Criterion
Criterion A - *Association with events that have made a significant contribution to the broad patterns of our history*	The buildings were significant for their association with the development of the federal courts in the Commonwealth of Puerto Rico and the expanded presence of the U.S. government on the island during the middle of the 20th century. As the main building for the U.S. District Court for the District of Puerto Rico, and the only Article II court for an unincorporated U.S. territory, the Hato Rey Complex meets the requisite stipulations for listing under Criterion A.	**Yes**
Criterion B - *Association with lives of persons significant in our past*	The buildings did not have associations with any persons who are significant to the history of San Juan, Puerto Rico, or the nation's past. While the buildings are named in honor of a governmental official and federal judge, neither person was associated directly with the buildings during their lifetime.	**No**
Criterion C – *Embodying the distinctive characteristics of a type, period, or method of construction, or representing the work of a master, possessing high artistic values, or representing a significant and distinguishable entity whose components may lack individual distinction*	The buildings were found to be representative examples of tropical modernism trends in Puerto Rico during the late 1960s and 1970s and are notable examples of formalism/brutalism, and thus eligible for inclusion in the NRHP under Criterion C.	**Yes**
Criterion D – *Potential to yield information important to history or prehistory*	The property is not likely to yield information important in history or prehistory.	**No**

As presented in **Table 7**, the buildings were determined to be significant due to their association with the development and expansion of the federal courts and U.S. government's presence in the Commonwealth of Puerto Rico under Criterion A. In addition, the buildings were eligible for listing under Criterion C as they were determined to be representative examples of tropical modernism trends in Puerto Rico during the late 1960s and 1970s and are determined to be notable examples of formalism/brutalism.

Environmental Consequences

Puerto Rico State Historic Preservation Office Consultation

A previous consultation considered the entire 27-acre Complex as the area of potential effects (APE), which is the area used to review potential impact to historic resources resulting from proposed alterations to the Complex. However, under this analysis, the APE is limited to the Nazario Courthouse, Degetau Federal Building, link building, and the landscaped area located to the west of the buildings. Potential impacts would be concentrated within the central-west portion of the Complex and would not go beyond the Complex boundaries.

The GSA transmitted a consultation letter to the PR SHPO dated September 26, 2025, and provided a copy of the DOE. On December 10, 2025, the GSA met with the PR SHPO at the Hato Rey Federal Complex. Following this meeting, the GSA provided diagrams of the Nazario Courthouse and Degetau Federal Building to the PR SHPO to identify the proposed restoration, rehabilitation, and renovation zones; illustrate the proposed connections to the existing building; and showcase proposed avoidance and minimizing measures being implemented as part of the Proposed Action. Proposed avoidance and minimizing measures include designing the Annex as a separate building rather than as an addition, so as to avoid impacts related to the distinct profiles, details, and massing of the original buildings, and limiting the connections of the new Annex to the basement and first-floor levels of the existing buildings at their rear sides (western elevations).

On January 21, 2026, the PR SHPO responded to the GSA's submission of additional documentation, concurring that the proposed seismic retrofitting would not have the potential to cause adverse effects upon the original structure, design, material and finishes, and character-defining spatial sequences and relations. In addition, the PR SHPO agreed with the GSA's selected location of the Annex behind the historic Complex (consisting of the Nazario Courthouse, Degetau Federal Building, and link building) and concurred with GSA's determination that the Proposed Action would have no adverse effect on historic properties. Conceptual renderings of the Proposed Annex building are provided as **Exhibit 5-Conceptual Rendering of Proposed Annex Building Looking SW** and **Exhibit 6-Conceptual Rendering of Proposed Annex Building Looking SE** of this EA. The PR SHPO stated that architectural feature compatibility was not considered in order to respect and differentiate from the brutalist expression and vocabulary of the Complex's original design. However, the PR SHPO communicated concerns relating to the Annex's proposed connections to the existing historic buildings and requested that the connections be redesigned in a manner that complies with the Secretary of the Interior's standards related to new additions, exterior alterations, or related new construction (**Appendix C**). Based on the PR SHPO's recommendations, the GSA submitted a revised design package to the PR SHPO on February 9, 2026. On April 13, 2026, the PR SHPO issued a response to the GSA, advising that after review of all documentation, a finding of no adverse effect is adequate for the proposed undertaking of

the new Annex building, conditioned upon the Proposed Action being executed in compliance with condition established by the PR SHPO in their letter (Appendix X).

In summary, the proposed new Annex would be designed to avoid physical impacts to the Complex setting by constructing the Annex near the western boundary of the site, at the rear of both the Nazario Courthouse and Degetau Federal Building. Currently, this area is not open to the public and is the current location of parking and secure access from Carlos E. Chardón Avenue. This conceptual design presents the Annex as a distinct building, given its location near the west end of the site, and enables the Nazario Courthouse and Degetau Federal Building to retain their original silhouettes and volumes. The design thereby minimizes impacts to views of the buildings from the entrance drive and views of the federal campus landscape in relation to the buildings. Additionally, the Annex's connections to the existing buildings would be limited to modifications at the rear of the buildings, which would not be visible from the public rights-of-way along the perimeters of the Complex. However, to minimize impacts on the existing buildings, the proposed modifications would be implemented pursuant to the Secretary of the Interior's standards numbers 9 and 10, which relate to new additions, exterior alterations or related new construction.[6] As such, with implementation of the conditions set forth in the PR SHPO's letter dated April 13, 2026, the Proposed Action would have no adverse effect historic properties (**Appendix C**).

Archeological Resources

The soils within the APE have been heavily impacted by modern development on the surface and in near-surface sediments. Known disturbances within the APE include activities related to the development of the existing federal buildings and support structures, such as clearance, grading, landscaping and hardscaping, irrigation, and excavation for building construction and associated utilities. These disturbances are significant and extend to unknown depths. Due to these heavy disturbances, the GSA determined that an archeological investigation of the Complex was not warranted, and concluded that the archeological sensitivity for archaeological sites within the three-dimensional APE is low and that the Project would have no effect on archeological resources. The response provided by PR SHPO to GSA on April 13, 2026 stating that the Proposed Action would have no adverse effect on historic resources also applies to archeological resources.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect related to historic and archeological resources.

3.3.11 Utilities

The Project would be designed to prioritize energy use and cost reductions by utilizing strategic massing and an optimized envelope design to help ensure the new Annex is comfortable and responsive to external climate conditions.

[6] National Parks Service. The Secretary of the Interior's Standards for the Treatment of Historic Properties: Rehabilitation as a Treatment and Standards for Rehabilitation. Accessed April 21, 2026. https://www.nps.gov/articles/000/treatment-standards-rehabilitation.htm.

3.3.11.1 Electricity

Affected Environment

Electric power supply and distribution to the Complex is by LUMA Energy. LUMA Energy operates more than 52,000 miles of electrical transmission and distribution lines, covering 165,000 square miles of territory. LUMA Energy receives energy generated from generating facilities, including PREPA, and delivers energy via its transmission and distribution system to customers. The existing Complex buildings receive their electricity from two feeders, one originating from the San Juan Substation at Banco Popular and the other originating from Bolivia Street to the west. These feeders are 13.2 kV and feed four substations within the Complex. The generators located within the emergency generator building adjacent to the Degetau Federal Building are connected to a tie-switchgear, which is designed to provide power for loads connected to the 13.2 kV tie-switchgear in the event of a power outage. As previously stated, the existing emergency generator building adjacent to the Degetau Federal Building to the west would be removed and relocated above the FFE (elevation above the 500-year floodplain plus an additional 5 feet [1.52 M]) pursuant to GSA Order PBS 1095.8B and its companion PBS Floodplain Management Desk Guide.

The electrical utility connection capacity for the proposed Annex is estimated to be 6,500 kilovolt-ampere (kVA). The electrical system for the new Annex would be designed to offer adequate and efficient power for all electrical systems, including but not limited to the lighting, fire alarm, and telecommunication systems.

Environmental Consequences

Electricity demand is not expected to increase during site preparation activities and during the majority of the construction phase for the new Annex because construction equipment and vehicles are not electric and would not contribute to the energy demand of the Proposed Action. The seismic retrofit of the existing Nazario Courthouse would be completed in phases so as not to disturb the functions of the Courts during modification of the buildings. However, energy demand at the Complex would increase temporarily during the final construction phase due to concurrent operations of temporary facilities and the existing Complex operations.

The Annex's existing electrical load is estimated to be 1,453 kVA, which could increase to 1,744 kVA when considering a future 20 percent spare capacity to accommodate future growth. Based on these increased loads, LUMA Energy was consulted for recommendations on the estimated loads. Based on LUMA's response, the Proposed Action was determined to have capacity for the new loads without requiring a new point of utility connection. Pursuant to communications with LUMA, the new Annex building would include installation of a new 2,000 kVA-13.2 kV to 480 volts (V) secondary air-cooled unit substation with sections for a 13.2 kV incoming electrical line, 13.2 kV to 480 V air-cooled transformers, and a 480 V low power distribution installation within the building's main electrical room.

In addition to relocating the existing 2,500 kW-13.2 kV generators from the existing emergency generator building to a new weatherproof enclosure on top of the existing sally port, a new 1,500 kW (1,875 kVA) sized emergency generator unit would be installed and connected to paralleling-

switchgear to handle the additional electrical load demands in the event of a power outage. The existing and new generator configuration will provide power for the new Annex building, as well as for the existing Degetau Federal Building and Nazario Courthouse. Paralleling-switchgear power (normal power) is provided by LUMA Energy. As such, the Proposed Action would have the capacity for the estimated new loads without requiring a new point of utility connection. Therefore, the Proposed Action would have direct, minor, long-term, adverse effects that would be localized to LUMA Energy's service area.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect on existing electrical infrastructure or the existing electrical service provider (LUMA Energy).

3.3.11.2 Solid Waste Disposal

Affected Environment

The Complex, which is served by Municipality of San Juan solid waste disposal services, receives solid waste disposal services provided by several waste collection and recycling services.

Environmental Consequences

During construction of the Proposed Action, standard construction best practices would be implemented by GSA to ensure the proper handling and disposal of construction and demolition waste, During operation of the Proposed Action, the Nazario Courthouse and new Annex Building would produce an incremental increase in solid waste, which would be accommodated by existing solid waste services. There is nothing inherent in the Proposed Action or in the type or intensity of land use indicating that the Proposed Action would generate a higher-than-normal level of typical municipal solid waste and recyclables, or that it would generate any unique or hazardous types of wastes requiring unusual disposal methods. As such, the Proposed Action is not anticipated to generate solid waste in excess of federal or local standards or in excess of the capacity of local infrastructure.

Because the Proposed Action would be supported by existing solid waste providers during construction and operation of the proposed Annex and seismic retrofit of the existing Nazario Courthouse, the Proposed Action would have direct, negligible, short-term, localized impacts during construction and direct, negligible, long-term, localized effects during operation related to solid waste disposal facilities.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect on solid waste disposal facilities.

3.3.11.3 Sewer and Water

Affected Environment

The Puerto Rico Aqueduct and Sewer Authority (PRASA) provide water and sewer services in the City of San Juan. The Degetau Federal Building and Nazario Courthouse each have an 8-inch sewer line that connects to the existing 12-inch sanitary water sewer system that serves the Complex. The sanitary water sewer system connection is located along the eastern part of the Nazario Courthouse and exits the Complex to the north toward Carlos E. Chardón Avenue, where it drains into the existing 12-inch system and flows north along Jose Olivier Avenue.

Water distribution to the Complex is served by an existing 30-inch diameter main pipe located along Carlos E. Chardón Avenue. There is an existing 4-inch water line connection to the Nazario Courthouse and another existing 4-inch connection near the northwest entrance of the Complex that serves the Degetau Federal Building. In addition, there is an existing separate fire service line that runs parallel to the existing water line.

An existing 12-inch storm sewer system serves the parking area adjacent to the Nazario Courthouse, which flows south into an existing 18-inch system that drains the southern portion of the parking lot area adjacent to the Degetau Federal Building. This storm sewer system heads south and drains into a 24-inch system before draining into a 36-inch system as it turns east along the southern part of the Complex. There is also an existing 12-inch storm sewer located along the south side of the Degetau Federal Building that drains into a pump station and discharges through an existing 8-inch force main into the 36-inch storm sewer that runs east. This 36-inch storm sewer discharges into the drainage ditch located along the eastern portion of the Complex. As part of the Hurricane Recovery Program, a new stormwater management system was installed within the southwest portion of the Complex; this system would be removed and reinstalled to accommodate the construction of the proposed new Annex building. The current systems works by collecting rainwater from the roof leaders and catch basins in the adjacent areas, where it is routed through a series of recharging chambers and bioretention facilities located south of the emergency generator building.

Environmental Consequences

The Proposed Action is estimated to result in a sanitary sewer contribution of 21,292 gallons per day. To accommodate this sewer demand, the Proposed Action would include the installation of a new sanitary sewer gravity line, which would be located along the existing access road along the western portion of the Complex. The new sanitary sewer system is anticipated to be equipped with a 6-inch diameter cast iron pipe within the Complex, concrete manholes, and 6-inch building connection, which will discharge the existing 12-inch diameter PRASA main sewer line located along on Carlos E. Chardón Avenue. Additionally, a new sewer lift station would likely be required as part of the Proposed Action. The sanitary contribution for the Proposed Action was estimated using the PRASA design manual, which includes the use of specific sanitary contribution criteria. As such, the Proposed Action includes the installation of an additional sewer gravity line, which would accommodate the anticipated needs of the structure.

New water pipeline connections would be required for the new Annex and would be determined and coordinated with PRASA as part of the design process. To meet PRASA requirements, new domestic water main distribution connections would consist of two 6-inch ductile iron pipes—one for water services and one for the fire suppression system along with all required accessories to meet PRASA's requirements. The proposed water demand for the new Annex is presented in **Table 8** below, which includes a potable water cistern to provide a three-day water reserve, and addresses the water demand for cooling tower water requirements for the mechanical chilled water system. The proposed water demand is consistent with specific water demand criteria pursuant to PRASA's design manual.

Table 8: New Annex Proposed Daily Water Demand

Use	Calculated Water Demand (gallons/day)	Demand Equivalent Units
Water Demand Current Design by Occupation	15,615	40
Chilled Water Demand	22,400	56
Condensate Water Recovery	(3,100)	-7.75
Total Daily Demand	**34,915**	**88**
Three-Day Cistern Reserve	**104,745**	**264**

The runoff produced by the proposed Annex will be handled by roof leads that connect to a green roof, courtyards gardens, and the existing stormwater retention system located on the southwest corner of the Complex and new stormwater retention tanks. This existing retention system consists of underground recharging chambers, which will be maintained as part of the sally port. The new system would incorporate the runoff excess of the courtyards and the green roofs' drainage areas to be retained, treated, and reused within the potable water distribution system of the new Annex. The Proposed Action would maintain the existing 24-inch storm sewer that drains south toward a 36-inch storm sewer that in turn drains east along the south part of the Complex. The proposed design would meet the requirements of the Energy Independence and Security Act (EISA) Section 438 by designing for the 95 percent percentile rain event forecasted with more than 50 years of data collection at Luis Munoz Marin Airport Weather Station. The Puerto Rico Planning Board Design Standards would be considered for the hydraulic evaluation of the design of the Annex, as stated in the Rules for Stormwater Design, Operations and Maintenance Criteria. The proposed stormwater conveyance system would be designed for the 25-year critical storm event and would be evaluated under a 50-year and 100-year rainfall event scenarios using stormwater modeling software. The Puerto Rico Planning Board Design Standards state that the site discharge for proposed conditions shall not exceed the discharge for the existing conditions for new developments. Given that the existing conditions for the Complex are mostly impervious, this should not result in any required stormwater retention/detention, other than what is required for EISA Section 438 requirements.

In addition, the new Annex would include resilient design strategies that seek to first minimize water demands and then offset them to the maximum extent possible while managing water

responsibly. Resilient design strategies would include sustainably managing precipitation through infiltration and rainwater collection to reuse rainwater to offset water demands, including through the use of efficient irrigation systems, flushing, and cooling tower makeup. Rainwater collection systems would be installed to capture and utilize rainwater for potable water use within the new Annex building. Further, the new Annex would include the use of heat pump water heaters, a cooling tower, an HVAC unit that utilizes a chilled water-cooling system, and use of low-flow water fixtures.

The Proposed Action would result in an increased demand to sewer and water infrastructure and services to accommodate the proposed Annex, connections would be coordinated with local utility providers. In addition, water demand increases would be partially offset by rainwater collection and reuse facilities. Further, installation of a new gravity sewer line and new water lines, and the removal and reinstallation of the existing stormwater management system to accommodate the new Annex, would occur within areas heavily disturbed by prior grading, construction, and current operational use. Therefore, the Proposed Action would have direct, minor, short-term, localized adverse effects on sewer and water facilities during construction and direct, minor, long-term, localized, adverse effects on sewer and water facilities during operation of the Proposed Action.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect on sewer and water facilities.

3.3.12 Traffic and Transportation

3.3.12.1 Traffic

Affected Environment

The Hato Rey District is a commercial and financial district within the Municipality of San Juan, which is easily accessible via highways or public transportation. Carlos E. Chardón Avenue is a major thoroughfare within the district that provides direct access to PR-18/Las Americas Expressway, a major highway transecting San Juan. The Hato Rey District houses the headquarters for Banco Popular, the Plaza Las Americas shopping mall, and the Roberto Clemente Coliseum as well as numerous other significant commercial businesses that make up the La Milla da Oro, or the Golden Mile District. The Complex is situated with convenient access to major arterial roadways, including the PR-18/Las Americas Expressway and Roosevelt Avenue/PR-23. The site is bounded by Carlos E. Chardón Avenue to the north. Carlos E. Chardón Avenue is a two-lane local roadway providing eastbound and westbound access within Hato Rey. The Complex has three existing points of entrance and exit: the north gate and northwest gate along Carlos E. Chardón Avenue, and the south gate along O'Neill Street. Vehicular access to the new Annex would be provided through the northwest gate along Carlos E. Chardón Avenue. During construction of the Proposed Action, access to the sally port would be temporarily moved to the southern gate along O'Neill Street. Emergency vehicle access during construction would be provided via the north gate.

Environmental Consequences

Michael Baker International, Inc. prepared a Transportation Assessment (TA) for the proposed Annex dated May 29, 2024. The TA considers the site's primary access point located on the north side of the Complex on Carlos E. Chardón Avenue and the secondary access point located on the south side of the Complex on O'Neill Street; the project's forecast of approximately 1,240 daily trips with 110 AM peak hours trips and 112 PM peak hour trips; and the project's anticipated build at year 2032 (**Appendix D**). Level of service (LOS) is commonly used as a qualitative description of intersection operation and is based on traffic control and experienced delay at the intersection. The TA evaluates traffic conditions that include the LOS analysis of AM and PM hour intersections and analyzes the two existing Complex driveways and four intersections within the vicinity of the Complex. The TA analyzes the construction of the new Annex under three scenarios: opening year 2032 no build conditions; design year 2052 no build conditions; and design year 2052 build conditions. Design year 2052 no build conditions assume 20 years in the future of the opening year 2032 no build condition. A growth factor of 0.24 percent per year is assumed for 20 years. Therefore, a total growth of 4.8 percent (0.24 percent x 20 years) is assumed for the design year 2052 no build conditions. Traffic volumes for the design year 2052 build scenario are derived by adding the project's forecast traffic to the design year 2052 no build traffic conditions. The driveways and intersections analyzed under the TA included:

- Carlos E. Chardón Avenue and Federico Costas Street (signalized)
- Carlos E. Chardón Avenue and Cesar L. Gonzales Avenue (signalized)
- Carlos E. Chardón Avenue and North Project Entrance/Exit (two-way stop control)
- Carlos E. Chardón Avenue and Highway 1 (signalized)
- Carlos E. Chardón Avenue and Highway 25 (signalized)
- O'Neill Street and South Project Entrance/Exit (one-way stop control)

According to the TA, the results of the existing conditions analysis show that all study intersections currently operate at acceptable LOS D or better and would continue to operate at acceptable LOS D or better under opening year 2032 build conditions. In addition, the analysis shows that all study intersections would continue to operate at acceptable LOS D or better under opening year 2032 no build conditions, and under design year 2052 no build conditions and design year 2052 build conditions (**Appendix D**). Thus, no physical traffic-related improvements are required for the construction of the new Annex and Nazario Courthouse seismic retrofit. The Proposed Action would have direct, negligible, long-term, localized adverse effects on area roadways.

Existing parallel parking along the west entrance would not be impacted. In addition, the Complex contains an existing standalone, 4-story parking structure located on the eastern side of the main Complex access road (north gate) that would accommodate parking needs within the Complex.

In total, the Proposed Action would provide approximately 35 parking spaces, including ABAAS/ADA compliant spaces. Although the Proposed Action would result in a total loss of 10 parking space compared to existing the conditions, the reduced number of parking spaces would be accommodated by the existing standalone, 4-story parking structure located on the eastern side of the main Complex. As such, the Proposed Action would not result in substantial impacts to parking spaces as the loss of spaces would be accommodated by existing parking structure. Therefore, the Proposed Action would have direct, negligible, long-term, site-specific impacts on parking.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect on traffic or parking.

3.3.12.2 Transit

Affected Environment

The Departamento De Transportacion Y Obras Publicas operates the Tren Urbano transit network, which provides rapid transit services to 16 stations distributed throughout the Municipalities of San Juan, Guaynabo, and Bayamon. The closest Tren Urbano Station is the Roosevelt Station, located approximately 348 feet southeast of the Complex. Additionally, the Hato Rey Station is located approximately 1,341 feet northeast of the Complex.

Environmental Consequences

The proposed Annex would be designed to provide access for all users in a way that is fundamentally integrated, avoiding separate and dedicated accessible features that promote a sense of otherness. Employees of the Complex using public transit can easily access the Tren Urbano Stations located to the southeast and northeast of the Complex via the entrance and exit gates along Carlos E. Chardón Avenue to the north and O'Neill Street to the south. Considering that the increase in employees associated with the Proposed Action would be minimal relative to the total number of employees and visitors accessing the Complex, and considering that the Complex does not anticipate a substantial increase in the number of visitors following implementation of the Proposed Action, the existing Tren Urbano transit network can adequately support potential transit needs of the Proposed Action. Implementation of the Proposed Action and the increase in the number of employees associated with the action would have a direct, negligible, long-term impact that would be localized to the Tren Urbano transit network service area.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect related to public transit.

3.3.13 Hazardous Materials

Affected Environment

NERT Online is an online tool that provides research property data, identifies environmental concerns, and provides historical and current aerial photographs of properties from various government sources, including the National Priorities List (NPL); delisted NPL sites; Comprehensive Environmental Resource, Compensation and Liability Act (CERCLA) removal and order sites; CERCLA No Further Remedial Action Planned (NFRAP) sites; Resource Conservation and Recovery Act (RCRA) sites; RCRA Treatment, Storage, and Disposal facilities; RCRA generators; Federal Institutional/Engineering Controls registries; and Emergency Response Notification System sites. A NERT Online report was generated for the Proposed Action on

February 18, 2026, which identified the Complex as a CERCLA removal and order site and two RCRA generator sites. Additionally, the NERT Online report identified two CERCLA removal and order sites and two CERCLA NFRAP sites within a half-mile radius of the Complex and identified three RCRA generator sites adjacent to the Complex. According to the USEPA's Enforcement and Compliance History Online, RCRA, and Facility Registry Service databases, there are no compliance status or permit violations identified for the Complex and former underground storage tank violations were corrected and closed in 2010.

According to the CMU Wall Replacement Project Technical Report - Volume 1 for the Nazario Courthouse prepared by Dattner Architects, Thornton Tomasetti, Inc. and Vanasse Hangen Brustlin, Inc., revised on July 24, 2025, the Nazario Courthouse was assessed for the potential presence of hazardous building materials, including asbestos-containing materials (ACMs) and lead-based paint (LBP) within select areas of the building. Examples of previously identified ACMs in the building that could impact the Project if still present include floor tiles, duct installation mastic, damp proofing on exterior walls, and fireproofing putty on CMU wall penetrations. Assessment of the Nazario Courthouse included site inspections conducted June 16-20, 2025, CMU wall opening for visual access to interstitial spaces, inspections using a borescope, and sample collection. Samples of suspected ACMs for which prior data was not available and that would be anticipated to be disturbed during the retrofitting activities included the ceiling plaster and plaster patch, two coat plaster, CMU block mortar, and putty associated with the air conditioner ducts. Based on the laboratory analysis results, no asbestos was detected in the building materials tested. Additionally, no vermiculite was detected in the ceiling samples of the lower and high roofs. CMU wall inspection openings and borescope views allowed visual access to the interstitial spaces, but physical access was limited to areas within reach of the openings. Additional suspected ACMs and LBP were observed inside the interstitial spaces that could not be accessed for sampling.

Due to the potential presence of ACMs and LBP within areas proposed for seismic modifications, the Proposed Action would be required to comply with all applicable federal and local laws governing the use, generation, storage, transportation, and disposal of hazardous waste.

Environmental Consequences

The Proposed Action would involve the construction of a new Annex and the seismic retrofit of the existing Nazario Courthouse to withstand seismic demands associated with a seismic event corresponding to two-thirds of the MCE ground motion. In addition, the Proposed Action would involve the installation of two underground fuel storage tanks within the footprint of the Proposed Action. Construction of the proposed Annex and associated utility installations and supporting infrastructure would be limited to the western portion of the existing Complex, which consists of previously disturbed land due to prior grading and construction activities associated with the 1974 construction of the link building, Degetau Federal Building and Nazario Courthouse and subsequent improvements and installations (including the construction of an emergency generator building and stormwater management and storage facilities). As such, ground-disturbing activities related to the proposed Annex would be limited to previously disturbed areas. The proposed Annex does not involve, nor would it result in the use, storage, release and/or disposal of toxic hazardous or radioactive materials, or in the exposure of people to such materials. As such, with compliance with all applicable federal and local laws, there are no existing conditions identified by regulatory

agencies within the Proposed Action area that would preclude the implementation of the new Annex building.

In addition, the Proposed Action would be required to comply with applicable federal and local laws governing the use, general, storage, transportation, and disposal of hazardous waste, including ACMs and LBP encountered during the seismic retrofit of the Nazario Courthouse. Further, the GSA would develop a specification to offer guidance on the handling and disposal of unanticipated hazardous substances encountered during construction activities in the event that such hazardous materials are encountered. Construction and demolition waste would be removed frequently to minimize the potential for stormwater to be contaminated by standing waste. Removal and disposal of fuel and other storage tanks would be conducted using licensed contractors and all proper closure procedures. Accidental spills of hazardous materials (e.g., diesel fuel from vehicles, paint, solvents) would be minimized by implementing practices such as regular vehicle inspections and maintenance, proper storage of hazardous materials, maintaining a clean working environment, and adherence to a Spill Prevention, Control, and Countermeasure plan.

Therefore, with adherence to all applicable federal and local laws regulating the handling, storage, and disposal of hazardous materials, the Proposed Action would have direct, minor, short-term, site-specific adverse effects related to hazardous materials.

Under a No Action Alternative, no new construction of the Annex building or modernization of the existing Nazario Courthouse would occur. Thus, a No Action Alternative would have no effect on hazardous materials.

4.0 Summary of Findings and Conclusion

After implementation of the mitigation measures included in this Draft EA, as well as compliance with the federal and local regulations discussed throughout this Draft EA, the Proposed Action would not negatively impact the surrounding environment and would not have an adverse environmental or health effect on end users. The Project complies with NEPA and other related federal and local environmental laws.

5.0 Management and Mitigation Measures

5.1 Management and Mitigation Measures

This section summarizes the proposed management and mitigation measures to avoid, minimize, or mitigate potential adverse effects of the Proposed Action. Under the Proposed Action Alternative, construction contractors would implement the best management practices and recommendations listed in **Table 9** and satisfy all applicable federal and local regulatory requirements associated with the design, construction, and operation of the proposed seismic retrofit of the Nazario Courthouse and proposed construction of a new Annex building. Additional management and mitigation measures may be adopted or required through ongoing agency consultations and public engagement.

Table 9: Management and Mitigation Measures

Resource Area	Mitigation Measure
Soils and Geological Conditions	The Proposed Action would incorporate the recommendations provided by Jaca & Sierra in the Geotechnical Report (April 18, 2023), related to the new Annex's foundation systems, ground improvement alternatives, site grading and filling, new stormwater pipe installation, and further geotechnical support. The final Annex design, which shall incorporate the Geotechnical Report recommendations, would be confirmed and approved by the General Services Administration (GSA) prior to implementation of the Proposed Action. In addition, the Proposed Action shall incorporate the recommendations provided by Jaca & Sierrea in the Geotechnical Report (April 2026). The Proposed Action would implement best management practices (BMPs) to prevent or reduce soil erosion and soil pollution/contamination during and after construction. BMPs that GSA would consider include installing silt fencing and sediment traps; placing gravel or riprap for heavy vehicle transit; and reestablishing vegetation to minimize erosion and sedimentation. Revegetation with regionally appropriate native plant species of areas around the buildings, parking lots, and other infrastructure where soils remain exposed after construction would also minimize impacts over a longer term. To the extent practicable, existing disturbed and developed land within the Hato Rey Federal Complex would be used for staging construction equipment and stockpiling.
Biological Resources	The Proposed Action would result in removal of five trees as part of the construction of the proposed Annex building. As such, the Proposed Action would comply with the Migratory Bird Treaty Act, including the implementation of appropriate avoidance measures. To avoid and minimize potential effects, tree removal would be conducted outside of the primary nesting season (March 1 - August 31) to the extent practicable. If tree removal must occur during the primary nesting season, a qualified biologist would inspect trees for active nests prior to removal. If an active nest is identified, appropriate buffers would be established, and work would be delayed until the nest is no longer active. With implementation of these measures, the Proposed Action would not result in a violation of the MBTA or significant adverse impacts to migratory birds.

6.0 List of Preparers

Amanda Foley, Environmental Protection Specialist, Risk Management Division, Public Buildings Service, Northeast and Caribbean Region, GSA
Brent Schleck, Senior Environmental Planner, Michael Baker International, Inc.
Cristina Trevizo, Environmental Planner, Michael Baker International, Inc.

7.0 References

Dattner Architects, Thornton Tomasetti, Inc., and Toscano Clements Taylor, LLC. 2025. CMU Wall Replacement Project. Volume 1 – Technical Report. GSA – Clemente Ruiz Nazario Federal Courthouse.

Federal Emergency Management Agency. National Flood Hazard Layer FIRMette for 150 Carlos E. Chardón Avenue, San Juan, Puerto Rico 00918, Panel Numbers 72000C0365J and 72000C0370J. Accessed September 9, 2025. https://msc.fema.gov/portal/home.

Federal Register. October 1, 2024. Finding of Failure To Attain the Primary 2010 1-Hour Sulfur Dioxide Standard for the San Juan and Guayama-Salinas Nonattainment Areas; Approval and Conditional Approval of Air Quality State Implementation Plans; Puerto Rico; Attainment Plan for the 2010 1-Hour Sulfur Dioxide Standard for the San Juan and Guayama-Salinas Nonattainment Areas. Accessed on September 17, 2025. https://www.federalregister.gov/documents/2024/10/01/2024-22466/finding-of-failure-to-attain-the-primary-2010-1-hour-sulfur-dioxide-standard-for-the-san-juan-and.

Government of Puerto Rico Department of Natural and Environmental Resources. 2022. Puerto Rico Non-Attainment State Implementation Plan Sulfur Dioxide (SO_2) National Ambient Air Quality Standard. https://www.drna.pr.gov/wp-content/uploads/2023/01/11.2022-PR-SO2-NAA-SIP-Final-Version.pdf.

Jaca & Sierra. 2023. Geotechnical Report. U.S. Courthouse Annex Building, San Juan, Puerto Rico.

Michael Baker International. 2024. Transportation Assessment New U.S. Courthouse Annex.

Puerto Rico Department of Natural and Environmental Resources. 2009. Appendix B: The Puerto Rico Program and the Coastal Zone Management Act. San Juan, Puerto Rico. Puerto Rico Coastal Zone Management Program: Revision and Update. https://www.drna.pr.gov/wp-content/uploads/2022/06/PRCZMP2009-Appendix-B.-The-Puerto-Rico-Program-and-The-Coastal-Zone-Management-Act.pdf

Puerto Rico Department of Natural and Environmental Resources. 2023. Puerto Rico Non-Attainment State Implementation Plan Sulfur Dioxide (SO_2) National Ambient Air Quality Standard. Accessed September 15, 2025. https://www.drna.pr.gov/wp-content/uploads/2023/01/11.2022-PR-SO2-NAA-SIP-Final-Version.pdf.

Puerto Rico State Historic Preservation Office. 2010. SHPO #09-17-09-01 Construction of Federal Parking Garage, FBI Office Building with a One-Floor Annex, an FBI Garage, and a Child Care Center, San Juan, Puerto Rico.

U.S. Census Bureau. 2023. DP03 Selected Economic Characteristics. 2023 5-Year Estimates Subject Tables for Puerto Rico. Accessed March 22, 2026. https://data.census.gov/table.

U.S. Census Bureau. 2023. DP03 Selected Economic Characteristics. 2023 5-Year Estimates Subject Tables for San Juan, Puerto Rico. Accessed March 22, 2026.

U.S. Census Bureau. 2023. DP04 Selected Housing Characteristics. 2023 5-Year Estimates Subject Tables for Puerto Rico. Accessed March 22, 2026.

U.S. Census Bureau. 2023. DP04 Selected Housing Characteristics. 2023 5-Year Estimates Subject Tables for San Juan, Puerto Rico. Accessed March 22, 2026.

U.S. Census Bureau. 2023. DP05 ACS Demographics and Housing Estimates. 2023 5-Year Estimates Subject Tables for Puerto Rico. Accessed March 22, 2026.

U.S. Census Bureau. 2023. DP05 ACS Demographics and Housing Estimates. 2023 5-Year Estimates Subject Tables for San Juan, Puerto Rico. Accessed March 22, 2026.

U.S. Department of Agriculture Natural Resources Conversation Service. Web Soil Survey. Accessed September 8, 2025. https://websoilsurvey.nrcs.usda.gov/app/.

U.S. Environmental Protection Agency. Enforcement and Compliance History Online. Accessed February 23, 2026. https://echo.epa.gov/.

U.S. Environmental Protection Agency. Facility Registry Service. Accessed February 23, 2026. https://www.epa.gov/frs.

U.S. Environmental Protection Agency. RCRAInfo Search. Accessed February 23, 2026. https://enviro.epa.gov/envirofacts/rcrainfo/search.

U.S. Environmental Protection Agency. 2021. SIP Status Reports. Status of SIP Required Elements for Puerto Rico Designated Areas. Accessed September 10, 2025. https://www3.epa.gov/airquality/urbanair/sipstatus/reports/pr_elembypoll.html.

U.S. Fish and Wildlife Service. Critical Habitat Portal. Accessed on September 10, 2025. http://criticalhabitat.fws.gov/crithab/flex/crithabMapper.jsp.

U.S. Fish and Wildlife Service. Caribbean Ecological Services Field Office. Featured Species. Accessed on September 10, 2025. https://www.fws.gov/office/caribbean-ecological-services/species.

U.S. Fish and Wildlife Service. Information for Planning and Conservation (IPAC) Report for Project Area. Accessed on September 8, 2025. https://ipac.ecosphere.fws.gov/.

U.S. Fish & Wildlife Service. National Wetlands Inventory. Wetlands Mapper. Accessed on September 10, 2025. http://www.fws.gov/wetlands/data/Mapper.html.

U.S. Fish and Wildlife Service. Species summaries. Accessed on September 10, 2025. https://www.fws.gov/.

U.S. General Services Administration. 1999. Public Buildings Service (PBS) National Environmental Policy Act (NEPA) Desk Guide. Available at: https://www.gsa.gov/system/files/PBS_NEPA_Deskguide.pdf