Figure E-10 Statutory Checklist

STATUTORY CHECKLIST [§58.35(a) activities]

for Categorical Exclusions and Environmental Assessments

Note: Review of the items on this checklist is required for both Categorical Exclusions under Sec. 58.35(a) and projects requiring an Environmental Assessment under Sec. 58.36. If no compliance with any of the items is required, a Categorical Exclusion [58.35(a)] may become "exempt" under the provisions of Sec. 58.34 (a) (12). In such cases attach the completed Statutory Checklist to a written determination of the exemption. Projects requiring an Environmental Assessment under Sec. 58.36 cannot be determined to be exempt even if no compliance with Statutory Checklist items is found. Three items listed at Sec. 58.6 are applicable to all projects, including those determined to be exempt.

Project Name and Identification No. 17 Orland Street, Milford, Connecticut

Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
Document Laws and authorities listed at 24 CFR Sec. 58.5							
1. Historic Properties [58.5(a)] [Section 106 of NHPA]	☒	☐	☐	☐	☐	☐	**Activities will not adversely effect any historical resourses - See attached SHPO determination letter**
2. Floodplain Management [58.5(b)] [Ex Or 11988] [24 CFR 55]	☐	☐	☒	☐	☐	☐	**Flood Zone AE per FEMA FIRMette Panel 09009C0534J, map revised July 8, 2013 attahed- Flood Management Permit required from the CTDEEP – Application Attached**
3. Wetland Protection [58.5 (b)]	☒	☐	☐	☐	☐	☐	**Site is not located in any identified wetlands, See attached site plan and USFWS Inventory mapping obtained from http://www.fws.gov/wetlands/data/Mapper.html and "Existing Conditions Plan" prepared by Paul J. Stowell Land Surveying Services (plan attached)**
4. Coastal Zone Management [58.5(c)]	☒	☐	☐	☐	☐	☐	**EXEMPT from CAM, the activity is beyond 100' of Jurisdiction under 22-A105 thru A109**
5. Water Quality – Aquifers [58.5(d)] [40 CFR 149]	☒	☐	☐	☐	☐	☐	**No aquifers were identified in the area of the site on the CTDEEP GIS CT Environmental Conditions Online (CTECO), See attached map**
6. Endangered Species [58.5(e)] [16 U.S.C. 1531 et seq.]	☒	☐	☐	☐	☐	☐	**See Attached USFWS Report & response letter. Property is CT exempt, it is not waterfront on a sandy beach**
7. Wild and Scenic Rivers [58.5 (f)] [16 U.S.C. 1271 et seq.]	☒	☐	☐	☐	☐	☐	**Per the CT DEEP there are no Wild and Scenic Rivers in the Town of Milford**

Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
8. Air Quality [58.5(g)] [42 U.S.C. 7401 et seq.]	☒	☐	☐	☐	☐	☐	**Any air quality impacts should be minimal, short term and localized.**
9. Farmland Protection [58.5(h)]	☒	☐	☐	☐	☐	☐	**Site has already been developed, no additional clearing is required.**
Manmade Hazards 10 A. Thermal Explosive [58.5(i)]	☒	☐	☐	☐	☐	☐	**There will be no change in density or change of use. See attached letter from Milford Fire Department**
10 B. Noise [58.5(i)]	☒	☐	☐	☐	☐	☐	**Not applicable per CPD-13-03. The site will be substantially restored to condition prior to the disaster.**
10 C. Airport Clear Zones [58.5 (i)]	☒	☐	☐	☐	☐	☐	**Site is located outside the Sikorsky Airport and Tweed New Haven Airport clear zones**
10 D. Toxic Sites [58.5 (i)(2)(i)]	☒	☐	☐	☐	☐	☐	**This site is not located on an EPA Superfund National Priorities or CERCLA list or CT equivalent; there are no known non-residential underground fuel oil tanks; it is not known or suspected to be contaminated with toxic chemical or radioactive materials; the site is not located within 3000 feet of a toxic waster or solid waste landfill..**
11. Environmental Justice [58.5(j)]	☒	☐	☐	☐	☐	☐	**The site is not located within a predominately minority or low income neighborhood**
Document Laws and authorities listed at Sec. 58.6 and other potential environmental concerns							
12 A. Flood Insurance [58.6(a) & (b)]	☒	☐	☐	☐	☐	☐	**Per FEMA FIRMette Panel 09009C0534J, map revised July 8, 2013 attahed-Policy (attached) this site is located within Flood Zone AE. Per federal regulations and program guidelines, the homeowner is required to obtain and maintain flood insurance for a period not less than five years from assistance.**
12 B. Coastal Barriers [58.6(c)]	☒	☐	☐	☐	☐	☐	**Parcel is not located within Coastal Barrier Zone – See attached map of the John Chaffe Coastal Barrier Resourse System obtained from the CT DEEP website and GIS mapping**
12 C. Airport Clear Zone Notification [58.6(d)]	☒	☐	☐	☐	☐	☐	**Rehabilation activities for this do not involve the sale or purchase of the property .**
13 A. Solid Waste Disposal [42 U.S.C. S3251 et seq.] and [42 U.S.C. 6901-6987 eq seq.]	☒	☐	☐	☐	☐	☐	**Solid waste impact is expected to be minimal as the scope of the project is limited to pre-storm building footprint.**

Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
13 B. Fish and Wildlife [U.S.C. 661-666c]	☒	☐	☐	☐	☐	☐	**Project will not impact any water bodies in any manner.**
13 C. Lead-Based Paint [24 CFR Part 35] and [40 CFR 745.80 Subpart E]	☐	☐	☐	☐	☐	☒	**A survey of the site performed by Loureiro Engineering Associates identified lead-based paints and provides recommendations for removal. See attached report.**
13 D. Asbestos	☒	☐	☐	☐	☐	☐	**A survey of the site performed by Loureiro Engineering Associates did not identify any ACM. See attached report.**
13 E. Radon [50.3 (i) 1]	☒	☐	☐	☐	☐	☐	**Radon testing will be preformed upon completion of an enclosed ground level space with recommended mitigation measures if applicable.**
13 F. Mold	☒	☐	☐	☐	☐	☐	**A survey of the site performed by Loureiro Engineering Associates identified the presence of mold and provides recommendations for remediation. See attached report.**
Other: State or Local 14 A. Flood Management Certification [CGS 25-68]	☐	☐	☒	☐	☐	☐	**The property is located in Flood Zone. All work to comply with the Flood Management Certificate and the General Permit required by the DEEP. See property location noted on the FEMA FIRMette Panel 0900C0534J, map revised July 8, 2013 (attached) - See attached Appendix B**
14 B. Structures, Dredging & Fill Act [CGS 22a-359 to 22a-363f]	☒	☐	☐	☐	☐	☐	**No activity is proposed on the seaward side of the Coastal Jurisdiction Line (CLJ)**
14 C. Tidal Wetlands Act [CGS 22a-28 to 22a-35]	☒	☐	☐	☐	☐	☐	**No tidal wetlands have not been identified on the "Existing Conditions Plan" prepared by Paul J. Stowell Land Surveying Services (plan attached)**
14 D. Local inland wetlands/watercourses [CGS 22a-42]	☐	☒	☐	☐	☐	☐	**Jurisdictional Ruling given by the City of Milford CT Inland Wetland Office – see attached letter from said office dated 8/7/2014**
14 E. Various municipal zoning approvals	☐	☒	☐	☐	☐	☐	**Building permit and Zoning permit attached**

DETERMINATION:

☐ This project converts to Exempt, per §58.349a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license. Funds may be drawn down for this (now) EXEMPT project; **OR**

☒ This project cannot convert to Exempt because one or more statutes/authories requires consultation or litigation. Complete consultation/mitigation requirements, publish NOI/RROF and obtain Authority to Use Grant Funds (HUD 7015.16) per §58.70 and 58.71 before drawing down funds; **OR**

☐ The unusual circumstances of this project may reasult in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

Prepared by:

Edward G. Shelomis

8/20/2014

Name: Edward G. Shelomis, P.E., Vice President — Date

Responsible Entity or designee Signature:

Hermia Delaire, CDBG-DR Program Manager — Date 8/21/14