

**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.** 35 Harbor View Avenue, Norwalk, CT **Site No.** 1260

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.
<b>Document Laws and authorities listed at 24 CFR Sec. 58.5</b>							
1. Historic Properties [58.5(a)] [Section 106 of NHPA]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	State Historic Preservation Office (SHPO) confirmed the property is located within the National Register eligible Harbor View Historic District; however, in the opinion of SHPO, the proposed undertaking will have no adverse effect upon the historic district
2. Flood Management [58.5(b)] [Ex Or 11988] [24 CFR 55]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site is located in a flood zone AE based on FEMA Map 09001C0533G dated July 8, 2013 (See attached map).
3. Wetland Protection [58.5 (b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site does not contain mapped inland wetlands based on "Inland Wetlands, Norwalk, CT," Map effective February 1, 2010 (See attached map).
4. Coastal Zone Management [58.5(c)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site is located within the Coastal Boundary, Source: "Coast Boundary Map -- Norwalk, CT," January 2013 (See attached map).
5. Water Quality – Aquifers [58.5(d)] [40 CFR 149]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project does not involve on-site water and sewer facilities, nor is it in a sole source aquifer zone. Source: "Aquifer Protection Areas -- Norwalk, CT," December 2013 (See attached map).
6. Endangered Species [58.5(e)] [16 U.S.C. 1531 et seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Endangered Roseate Tern identified in work area. Fish and Wildlife Service indicates that the proposed work will not impact the Roseate Tern. (See attached letter) Project not located on a waterfront with sandy beaches (See Figure 1).
7. Wild and Scenic Rivers [58.5 (f)] [16 U.S.C. 1531 et seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project is not proximal to any listed Wild and Scenic Rivers based on map review.
8. Air Quality [58.5(g)] [42 U.S.C. 7401 et seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project is solely residential rehabilitation with no quantifiable increase in air pollution.
9. Farmland Protection [58.5(h)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project does not involve modification to existing structure footprint and is not located on "Farmland Soils -- Norwalk, CT" map prepared by CT DEEP, April 2011(See attached map).
Manmade Hazards 10 A. Thermal Explosive [58.5(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project does not add density to development.

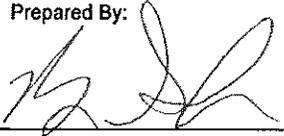
Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
<b>Document Laws and authorities listed at 24 CFR Sec. 58.5</b>							
10 B. Noise [58.5(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project will restore the structure to substantially as it existed prior to the storm.
10 C. Airport Clear Zones [58.5 (i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property is not located with 3,000 feet of a civil airport or 15,000 feet of a military airfield.
10 D. Toxic Sites [58.5 (i)(2)(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is not 1) listed on EPA Superfund National Priorities or CERCLA List or equivalent State list, 2) is not located within 3,000 feet of a toxic or solid waste landfill, 3) does not have an underground storage tank (which is not a residential fuel tank), and 4) is not known or suspected to be contaminated by toxic chemicals or radioactive materials.
11. Environmental Justice [58.5(j)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project does not anticipate high & adverse human health and environmental effects on minority or low-income populations; if required, mitigation or avoidance of impacts will be considered.
<b>Document Laws and authorities listed at Sec. 58.6 and other potential environmental concerns</b>							
12 A. Flood Insurance [58.6(a) & (b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site is located in a flood zone. The homeowner will be required to maintain flood insurance for not less than five years from the date of assistance.
12 B. Coastal Barriers [58.6(c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No coastal barrier resources system (CBRS) areas mapped at the site or immediate vicinity.
12 C. Airport Clear Zone Notification [58.6(d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The property is not located with 3,000 feet of a civil airport or 15,000 feet of a military airfield. The project does not involve the purchase or sale of an existing structure in an airport clear zone.
13 A. Solid Waste Disposal [42 U.S.C. S3251 et seq.] and [42 U.S.C. 6901-6987 et seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site is serviced by municipal solid waste disposal and project activities are not expected to affect capacities of waste disposal services.
13 B. Fish and Wildlife [U.S.C. 661-666c]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Program activities will not result in impounding, diverting, deepening, channelizing or modification of any stream or body of water and is not a water control project.
13 C. Lead-Based Paint [24 CFR Part 35] and [40 CFR 745.80 Subpart E]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Lead greater than 0.5% by weight detected on painted surfaces within the work zone. Abatement required as described in Triton Environmental report dated 8/2014. Compliance will include removal of lead-based paint hazards, notifications, and clearance examinations.
13 D. Asbestos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Suspect materials identified in first floor sheetrock walls and ceilings and front window glazing (See report Appendix D).
13 E. Radon [50.3 (i) 1]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Survey identified radon levels less than 4 pCi/L in lowest level of building.
13 F. Mold	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mold was visibly present in the work area.
Other: State and Local 14 A. Flood Management Certification [CGS 25-68]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site located in flood zone AE based on FEMA Map 09001C0533G dated July 8, 2013 (See attached map). Certification through the General permit for CBDG-DR program with DEEP required. See Certification form and required documents.

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.
14 B. Structures, Dredging & Fill Act [CGS 22a-359 to 22a-363f]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project is not located waterward of coastal jurisdiction line (CJL). Project not subject to permitting through DEEP Office of Long Island Sound Program (OLISP).
14 C. Tidal Wetlands Act [CGS 22a-28 to 22a-35]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No tidal wetlands mapped at the site based on map titled "Tidal Wetlands - 1990's," DEEP 1999 (See attached map)
14 D. Local Inland wetlands/watercourses [CGS 22a042]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site does not contain mapped inland wetlands based on "Inland Wetlands, Norwalk, CT," Map effective February 1, 2010 (see attached map)
14 E. Various Municipal Zoning Approvals	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Zoning approvals may be required for work within a coastal zone area.

**DETERMINATION:**

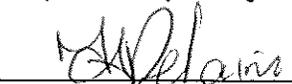
- This project converts to Exempt, per §58.349(a)(12) because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license. Funds may be drawn down for this (now) EXEMPT project; OR
- This project cannot convert to Exempt because one or more statutes/authorities requires consultation or mitigation. Complete consultation/mitigation requirements, publish NOI/RRDF 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 result 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:

  
Name

4/21/15  
Date

Responsible Entity or Designee Signature:

  
Name

4/21/2015  
Date