

**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. Owner-Occupied Rehabilitation and Rebuilding Program
(002-1310) 24 Meadow St. Guilford, CT 06437

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	Documentation and Comments
Document Laws and authorities listed at 24 CFR Sec. 58.5							
OK 1. Historic Properties [58.5(a)] [Section 106 of NHPA]	X						The State Historic Preservation Office reviewed the project and stated that the proposed project will have no effect upon the state's cultural resources in a letter dated 5/20/2014 (see attachment 1).
OK 2. Floodplain Management [58.5(b)] [Ex Or 11988] [24 CFR 55]				X			Property inside of flood zone AE, which is associated with the 100 yr flood zone. See attachment 2, Flood Insurance Rate Map (FIRM) Number 09009C0493J from FEMA at https://msc.fema.gov .
OK 3. Wetland Protection [58.5 (b)]	X						Property is not in wetland area according to the Town of Guilford GIS data and United States Fish and Wildlife Services (USFWS) at http://www.fws.gov/wetlands/Data/Mapper.html . See attachments 3 and 4.
OK 4. Coastal Zone Management [58.5(c)]		X					Property within coastal zone (see attachment 5). The project should not require a Coastal Site Plan Review according to the exemptions of the Office of Long Island Sound. Verify with town prior to start of work.
OK 5. Water Quality – Aquifers [58.5(d)] [40 CFR 149]	X						Property is not located in an aquifer protection zone (see attachment 6). This project does not involve on-site water and/or sewer facilities.
OK 6. Endangered Species [58.5(e)] [16 U.S.C. 1531 et seq.]	X						Inside NDDDB area but not a waterfront property with a sandy beach (see attachment 7). According to the FWS Natural Resources of Concern report, there are no listed species, there are no critical habitats, and there are no wildlife refuges within the vicinity of the property (see attachment 8).
OK 7. Wild and Scenic Rivers [58.5 (f)] [16 U.S.C. 1271 et seq.]	X						Property located greater than one mile from a wild and scenic river (Eightmile River).
OK 8. Air Quality [58.5(g)] [42 U.S.C. 7401 et seq.]	X						The project is residential rehabilitation with no anticipated quantifiable increase in air pollution.

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OK 9. Farmland Protection [58.5(h)]	X						This project is in an urban residential area, there is no landuse conversion, and work will be confined to the existing building footprint.
OK Manmade Hazards 10 A. Thermal Explosive [58.5(i)]	X						Project will not add density.
OK 10 B. Noise [58.5(i)]	X						Project is restoration of structure substantially as it existed prior to Superstorm Sandy.
OK 10 C. Airport Clear Zones [58.5 (j)]	X						Property not located in airport clear zone (see attachment 9).
OK 10 D. Toxic Sites [58.5 (i)(2)(i)]	X						Project is not listed on the EPA Superfund National Priorities or CERCLA lists or equivalent State list. Landfill is located greater than 3,000 feet away. The property does not have an underground storage tank (which is not residential fuel tank). The property is not known or suspected to be contaminated by toxic chemicals or radioactive materials.
OK 11. Environmental Justice [58.5(j)]	X						The property is not located in a minority or low-income population neighborhood.
Document Laws and authorities listed at Sec. 58.6 and other potential environmental concerns							
OK 12 A. Flood Insurance [58.6(a) & (b)]				X			Flood insurance will be required and maintained for a minimum of five years.
OK 12 B. Coastal Barriers [58.6(c)]	X						Property is not located in Coastal Barrier Resources System (see attachment 10).
OK 12 C. Airport Clear Zone Notification [58.6(d)]	X						Project does not involve the purchase or sale of a property as such 24 CFR 58.6(d) is not applicable.
OK 13 A. Solid Waste Disposal [42 U.S.C. 53251 et seq.] and [42 U.S.C. 6901-6987 eq seq.]	X						Construction debris must be brought to the Waste Transfer Station at 1900 Boston Post Road Guilford, CT or other approved location. The project includes demolition of the damaged structure. As this is a small single family house, sufficient capacity should be available at Waste Transfer Station or other approved location to accept the demolition wastes.
OK 13 B. Fish and Wildlife [U.S.C. 661-666c]	X						The project will not result in impounding, diverting, deepening, channelizing or modification of any stream or body of water. The project is not a water control project.
OK 13 C. Lead-Based Paint [24 CFR Part 35] and [40 CFR 745.80 Subpart E]						X	Lead was detected during field testing on 4/22/2014. See report, attachment 11. The lead will be mitigated. DEVO NEED TCKP TEST

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OK 13 D. Asbestos						X	Asbestos was detected during field testing on 4/15/2014 and 6/10/2014. See report, attachment 12. The asbestos will be mitigated.
OK 13 E. Radon [50.3 (i) 1]	X						Radon testing is not required as this house is to be elevated and will be provided with an unenclosed space below.
OK 13 F. Mold						X	Mold was detected during field testing on 4/15/2014. See report, attachment 13. The mold will be mitigated.
OK Other: State or Local 14 A. Flood Management Certification [CGS 25-68]				X			Property is located inside the Flood Zone AE, which is associated with the 100 yr flood zone. See attachment 1, Flood Insurance Rate Map (FIRM) Number 09009C0493J from FEMA at https://msc.fema.gov . Requires General Permit for CDBG-DR program activities with DEEP. See Appendix B Professional Certification Form (attachment 14).
OK 14 B. Structures, Dredging & Fill Act [CGS 22a-359 to 22a-363]	X						Property not waterward of Coastal Jurisdiction Line.
OK 14 C. Tidal Wetlands Act [CGS 22a-28 to 22a-35]	X						Property not located in tidal wetlands. See attachments 3 and 4.
OK 14 D. Local inland wetlands/watercourses [CGS 22a-42]	X						Property not located in inland wetlands. See attachments 3 and 4.
OK 14 E. Various municipal zoning approvals				X			House does not conform to local zoning regulations. Variances have been obtained from the Zoning Board of Appeals for the front yard setback and height.

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/authorities 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 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:  08/15/14
Name: J. ANDREW BEVILACQUA Date

Responsible Entity or designee Signature:  08/20/14
Hernia Delake, CDBG-DR Program Manager Date