

**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/Location: Katherine Niznansky # 1329 –
619 Penfield Road, Fairfield, CT**

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]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property is not eligible for listing on the National Register for Historical Properties. See attachment 1 as reference SHPO letter for property located at 619 Penfield Road, Fairfield, CT.
2. Floodplain Management [58.5(b)] [EO 11988] [24 CFR 55]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property at 619 Penfield Road, Fairfield, CT is inside AE flood plain (EL 12). See attachment 2- FIRM map 09001C0438G revised July 8, 2013. All work to comply with the Flood Management Certificate.
3. Wetland Protection [58.5 (b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	United States Fish and Wildlife Services (USFWS), National Wetlands Inventory (NWI) mapping identifies the project site outside the wetland zone. See attachment 3
4. Coastal Zone Management [58.5(c)] [CGS 22a-100(b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project involves minor rehabilitation and is located inside the Coastal Boundary Area. See attachment 4, Map created using data accessed from CT Environmental Conditions Online (CT ECO) of the Coastal Boundary Zone from http://cteco.uconn.edu pursuant to CT DEEP Coastal Boundary map for Fairfield County.
5. Water Quality – Aquifers [58.5(d)] [40 CFR 149] Clean Water Act 1977 Safe Drinking Water Act 1974	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water Quality – N/A project does not involve on-site water and sewer facilities / Aquifers – Project does not increase pre-existing footprint. CT DEEP Bureau of Water Protection and Land Reuse map titled “Connecticut Aquifer Protection Areas” dated July 21, 2014, does not identify aquifer protection areas in the City of Fairfield, CT. See attachment 5

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6. Endangered Species [58.5(e)] [16 U.S.C. 1531 et seq.] [CGS 26-310]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project is rehabilitation of existing structure. Will have <u>no effect</u> on federally protected species and critical habitat. Consultation with US Fish and Wild life Service or National Marine Fisheries Services is <u>not necessary</u> . Project is NOT WATERFRONT PROPERTY, NDDB review <u>not</u> required. Project is located outside Natural Diversity Data Base (NDDB) areas from CT DEEP. See attachment 6
7. Wild and Scenic Rivers [58.5 (f)] [16 U.S.C. 1271 et seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project site is not proximate to the Eightmile River or the Farmington River West Branch listed in the National Wild & Scenic Rivers System.
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"/>	Clean Air Act, State Implementation Plan, HUD & EPA Regulations; in general, residential rehabilitation exempted w/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"/>	N/A All activities occur inside of existing structure's footprint; no change in land use is proposed.
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"/>	24 CFR 51 Subpart C & HUD Guidebook; N/A- Projects does not add density.
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"/>	Per 24 CFR 51 Subpart B HUD's The Noise Guidebook; N/A- Activities restore facilities substantially as they existed prior to the disaster. Residential property is not close to Airport, railroad or major Highway.
10 C. Airport Clear Zones [58.5 (j)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The residential structure located at 619 Penfield Road, Fairfield, CT is NOT located on the Runway Clear Zone of Tweed New Haven Regional commercial airport. 24 CFR 51 Subpart D

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10 D. Toxic Sites [58.5 (i)(2)(i)]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The property located at 619 Penfield Road, Fairfield, CT is:</p> <ol style="list-style-type: none"> 1) Not listed on EPA's NPL list (Proposed or Final) or the State of Connecticut's Superfund Priority List. 2) Not listed on in Comprehensive Environmental Response and Compensation Liability information System (CERCLIS) database search as a Comprehensive Environmental Response and Compensation Liability Act (CERCLA) site. 3) Not located within 3,000 feet of a landfill site as listed on CT DEEP's active landfill list. 4) Not listed on CT DEEP's Underground Storage Tank list. 5) Not listed on CT DEEP's list of potentially contaminated sites and is not known or suspected to be contaminated by toxic chemicals or radioactive materials. <p>See attached EDR Radius Map Report. 10D</p>
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"/>	<p>Executive Order 12898</p> <p>The rehabilitation work at 619 Penfield Road, Fairfield, CT is compatible with the surrounding residential use and no high & adverse human health and environmental effects on minority or low-income populations are expected.</p> <p>The city of Stratford, CT is <u>not listed</u> by the Connecticut Department of Economic and Community Development (CT DECD) as a distressed municipality as defined in C.G.S. Section 22a-20. See attachment 11 for the 2014 listing of distressed municipalities in CT.</p>
Document Laws and authorities listed at Sec. 58.6 and other potential environmental concerns							
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"/>	<p>FIRM map 09001C0438G revised July 8, 2013. locates the property in Zone AE. See attachment 2.</p> <p>Per Federal regulations and program guidelines, for site specific projects located in the 100 year flood plain, the assisted homeowner is required to maintain flood insurance for not less than five years from the date of the assistance. Homeowner to provide copy of insurance after receiving project funding.</p>
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"/>	<p>Property is not in Coastal Barrier Resources System. See attached map 12B.</p>
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"/>	<p>The residential structure located at 619 Penfield Road, Fairfield, CT is NOT located on the Runway Clear Zone of Tweed New Haven Regional commercial airport.</p>

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							Provide compliance documentation. Additional material may be attached.
							24 CFR 51 Subpart D
13. A. Solid Waste Disposal [42 U.S.C. S3251 et seq.] and [42 U.S.C. 6901-6987 eq seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation activities to the residential structure at the project site are not expected to affect the capacities of solid 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"/>	Fish and Wildlife Coordination Act: Program activities will not result in impounding, diverting, deepening, channelizing or modification of any stream or body of water; 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A survey of the site performed by Freeman Companies identifies lead-based paints and trace amounts of lead amongst identified painted materials This should be communicated to contractors impacting these materials. See attached hazardous materials inspection report 13C for recommendations / requirements.
13 D. Asbestos	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An inspection of the dwelling performed by Freeman Companies identifies no asbestos-containing materials via non-destructive methods. See attached hazardous materials inspection report 13D for recommendations / requirements.
13 E. Radon [50.3 (i) 1]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Radon-in-air testing of the site performed by Freeman Companies identifies radon gas at or above the EPA threshold of 4 pCi/L. Read conclusions and recommendations in attached hazardous materials inspection report 13E.
13 F. Mold	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A survey of the site performed by Freeman Companies identifies some active mold growths under the kitchen sink area and upon east addition joists. Recommends contracting a qualified mold remediation contractor to clean mold affected areas prior to renovations. See attached hazardous materials inspection report 13F.
Other: State or Local 14 A. Flood Management Certification [CGS 25-68]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The property is located in Flood Zone AE. All work to comply with Flood Management certificate and the General Permit required by the DEEP. See property location noted on the FEMA FIRMette Panel 09001C0438G revised July 8, 2013.(attachment 2)
14 B. Structures, Dredging & Fill Act [CGS 22a-359 through 22a-363f]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project rehabilitation work does not propose any adverse impacts to coastal resources nor propose any activities waterward of the Coastal Jurisdiction line (CJL)

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14 C. Tidal Wetlands Act [CGS 22a-28 through 22a-35]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project is not located within a tidal wetland. Obtaining local wetland approvals, if necessary, will be included within construction Scope of Work.
14 D. Local inland wetlands/watercourses [CGS 22a-42]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project Site does not contain known mapped wetlands soil. Project activities do not propose any activities on wetland soils. See attachment 14D.
14 E. Various Municipal Zoning Approvals	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation activities at the project site will need review by Town of Fairfield, CT Building Department for issuance of required building permit. Planning and Zoning permits will be obtain if required.

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 mitigation. 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:

Anita Macagno-Cecchetto, RA

12/14/15 07-05-16

Name:

Date

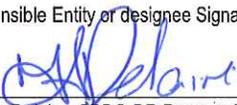
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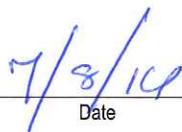
1-4-2016

Name:

Date

Responsible Entity or designee Signature:





Hermia Delaire, CDBG-DR Program Manager

Date

