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**:** Owner-occupied Rehabilitation and Rebuilding Program Application #1886 365 Brooks St., Bridgeport, 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]	☒	☐	☐	☐	☐	☐	The State Historic Preservation Office (SHPO) has reviewed the proposed rehabilitation plan (Attachment A - Project Scope). SHPO has determined the property is not eligible for listing in the National Register of Historic Places, and thus, no historic properties will be affected (Attachment B – SHPO Letter 9/2/2014).
2. Floodplain Management [58.5(b)] [EO 11988] [24 CFR 55]	☒	☐	☐	☐	☐	☐	Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) for the area shows the project site is not located within a special flood hazard area. Fairfield County, CT- Map #09001C0433G (Figure 3).
3. Wetland Protection [58.5 (b)]	☒	☐	☐	☐	☐	☐	The project site is not located within a wetland according to US Fish and Wildlife Service (USFWS) National Wetlands Inventory Map (NWI; 2012). No impacts to wetlands are anticipated (Figure 4).
4. Coastal Zone Management [58.5(c)] [CGS 22a-100(b)]	☒	☐	☐	☐	☐	☐	The project site is not located within the Coastal Jurisdiction Zone based upon the coastal jurisdiction contour/elevation (5') for the City of Bridgeport (2012). No impacts to coastal resources are anticipated (Figure 5).
5. Water Quality – Aquifers [58.5(d)] [40 CFR 149] Clean Water Act 1977 Safe Drinking Water Act 1974	☒	☐	☐	☐	☐	☐	Rehabilitation does not increase pre-existing footprint of structures. On site water and sewer facilities are not included in rehabilitation work for the project site. CT Department of Energy and Environmental Protection (CTDEEP) Bureau of Water Protection and Land Reuse map titled "Connecticut Aquifer Projection Areas," dated Dec 2013, does not identify aquifer protection areas in the City of Bridgeport, CT (Figure 6).The project site is not located in an EPA Sole Source Aquifer (http://www.epa.gov/region1/eco/drinkwater/pc_solesource_aquifer.html).

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6. Endangered Species [58.5(e)] [16 U.S.C. 1531 et seq.] [CGS 26-310]	☒	☐	☐	☐	☐	☐	USFWS Information, Planning and Conservation System (IPaC) does not indicate the presence of endangered species or critical habitats on the project site (Attachment C). Program–specific parameters provide that if no sandy beaches are present no further NDDB review is required. Project site is within a residential neighborhood and is not a waterfront property with a sandy beach (Figure 7).
7. Wild and Scenic Rivers [58.5 (f)] [16 U.S.C. 1271 et seq.]	☒	☐	☐	☐	☐	☐	Eightmile River is the only designated wild & scenic river within program area running through Lyme, Salem and East Haddam, CT (rivers.gov; 2012; Figure 8). Project site is not within one mile of the designated area.
8. Air Quality [58.5(g)] [42 U.S.C. 7401 et seq.]	☒	☐	☐	☐	☐	☐	Residential rehabilitation; will result in no quantifiable increase in air pollution.
9. Farmland Protection [58.5(h)]	☒	☐	☐	☐	☐	☐	US Department of Agriculture Natural Resources Conservation Service (NRCS) mapping indicates the site is underlain by Urban land complex soils (Figure 9). Therefore, the proposed project will not involve the conversion of any prime, unique, statewide, or locally important farmland.
Manmade Hazards: 10 A. Thermal Explosive [58.5(i)]	☒	☐	☐	☐	☐	☐	The site is in a residential neighborhood and proposed project will not result in any increase to density.
10 B. Noise [58.5(i)]	☒	☐	☐	☐	☐	☐	Proposed project will restore facilities as they existed prior to the disaster.
10 C. Airport Clear Zones [58.5 (i)]	☒	☐	☐	☐	☐	☐	The site is outside of any airport clear zone.
10 D. Toxic Sites [58.5 (i)(2)(i)]	☒	☐	☐	☐	☐	☐	Site is not listed on EPA Superfund National Priorities or CERCLA List or equivalent State list, is not located within 3,000 feet of a toxic or solid waste landfill, does not have an underground storage tank (which is not a residential fuel tank) and is not known or suspected to be contaminated by toxic chemicals or radioactive materials. Based on attached environmental database report prepared by Ecolog ERIS ltd. (Attachment D), site inspection, and owner interview.
11. Environmental Justice [58.5(j)]	☒	☐	☐	☐	☐	☐	The site is located in a Distressed Municipality based on the CTDECD 2013 List (Attachment E). However, the rehabilitation work at the project site is compatible with the surrounding residential use and no adverse human health and environmental effects on minority or low income population are expected.
Document Laws and authorities listed at Sec. 58.6 and other potential environmental concerns							

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12 A. Flood Insurance [58.6(a) & (b)]	☒	☐	☐	☐	☐	☐	Site is not located within a special flood hazard area. FEMA FIRM Fairfield County, CT- Map #09001C0433G (Figure 3).
12 B. Coastal Barriers [58.6(c)]	☒	☐	☐	☐	☐	☐	The Site is not located within a designated FEMA FIRM Coastal Barrier Resource Zone. Fairfield County, CT- Map #09001C0433G (Figure 3).
12 C. Airport Clear Zone Notification [58.6(d)]	☒	☐	☐	☐	☐	☐	The site is outside of any airport clear zone. Project does not involve the purchase or sale of a property as such 24 CFR 58.6(d).
13. A Solid Waste Disposal [42 U.S.C. S3251 et seq.] and [42 U.S.C. 6901-6987 eq seq.]	☒	☐	☐	☐	☐	☐	Solid waste disposal provided by the City. Proposed project will not result in an increase in density.
13 B. Fish and Wildlife [U.S.C. 661-666c]	☒	☐	☐	☐	☐	☐	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]	☐	☒	☒	☐	☐	☒	Residential structure at project site was built prior to 1978. The results of Lead Paint Survey are in the Hazardous Material Inspection Report, dated 9/8/2014, prepared by Eagle Environmental Inc. (submitted by Capital Studio Architects along with the Statutory Checklist). The Lead Controls work plan details the work practices to be followed during construction to address lead containing materials at the project site.
13 D. Asbestos	☐	☒	☒	☐	☐	☐	The results of Asbestos-containing Material Survey are included in the Hazardous Material Inspection Report, dated 9/8/2014, prepared by Eagle Environmental Inc. (submitted by Capital Studio Architects along with the Statutory Checklist). Based on the results of analysis of materials that were sampled, all were found to be non-asbestos-containing material.
13 E. Radon [50.3 (i) 1]	☐	☒	☒	☐	☐	☐	The results of Radon Survey are included in the Hazardous Material Inspection Report, dated 9/8/2014, prepared by Eagle Environmental Inc. (submitted by Capital Studio Architects along with the Statutory Checklist). Radon levels measured at the property were below the USEPA action level. No further actions are required.
13 F. Mold	☐	☒	☒	☐	☐	☐	The procedures and results of the microbial testing for mold spores are included in the Hazardous Material Inspection Report, dated 9/8/2014, prepared by Eagle Environmental Inc. (report submitted by Capital Studio Architects along with the Statutory Checklist). No visible mold colonization was observed during the time of assessment in storm-impact areas of residence. Water damage and mold were observed within other parts of the residence, but these areas are outside the scope of work as these impacts are not storm-related.

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Other: State or Local 14 A. Flood Management Certification [CGS 25-68]	☒	☐	☐	☐	☐	☐	General Permit for CDBG-DR Program activities with CTDEEP in development. However, no Certification will be required based on the location of this site.
14 B. Structures, Dredging & Fill Act [CGS 22a-359 through 22a-363f]	☒	☐	☐	☐	☐	☐	Rehabilitation work at project site does not propose any activity water ward of the coastal jurisdiction line as defined in C.G.S. Section 22a-359(c)
14 C. Tidal Wetlands Act [CGS 22a-28 through 22a-35]	☒	☐	☐	☐	☐	☐	The project site is located above the Coastal Jurisdiction Zone based upon the coastal jurisdiction contour/elevation for the City of Bridgeport (2012). CTDEEP Tidal Wetlands Mapping, as defined in C.G.S. Section 22a-29 and Section 22a-93(7)(e), identifies the project as outside a Tidal Wetland Zone (Figure 5; CTDEEP 1999).
14 D. Local inland wetlands/watercourses [CGS 22a-42]	☒	☐	☐	☐	☐	☐	No apparent inland wetlands on or adjacent to the site based review of NWI data (Figure 4) and NRCS soils data (Figure 9) as well as field observations. Project rehabilitation work is not expected to impact wetlands/watercourses.
14 E. Various Municipal Zoning Approvals	☒	☐	☐	☐	☐	☐	No change of use or building expansion that would require zoning approvals noted.

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:

9/10/14

Martin Brogie, LEP
Senior Consultant, GEI Consultants, Inc.

Date

Responsible Entity or designee Signature:

9/11/14

Hermia Delaire, CDBG-DR Program Manager

Date