

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. CDBG-DR Project 1948 – 801 Ellsworth Street**

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See attachment 1 for determination statement from CT State Historic Preservation Office. Project activities will have no adverse effects on the state of Connecticut's historic resources.
2. Floodplain Management [58.5(b)] [Ex Or 11988] [24 CFR 55]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	National Flood Insurance Program (NFIP), Flood Insurance Rate Map (FIRM) Number 09001C0436G, Revised July 8, 2013 Identifies the property at 801 Ellsworth Avenue, Bridgeport, CT, outside Zone A and AE for a 100 Year Flood. See attachment 2 for documentation.
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"/>	United States Fish and Wildlife Services (USFWS), National Wetlands Inventory (NWI) mapping identifies the project site outside a wetland zone. See attachment 3 for map documentation. Mapping is Geographic Information System (G.I.S.) map created using data accessed from USFWS NWI website at <a href="http://www.fws.gov/wetlands/Data/State-Downloads.html">http://www.fws.gov/wetlands/Data/State-Downloads.html</a>
4. Coastal Zone Management [58.5(c)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project site at 801 Ellsworth Avenue, Bridgeport, CT is located inside a Coastal Boundary Zone. Project activities are consistent with the Connecticut Coastal Management Act. See attachment 4 for map documentation. Mapping is Geographic Information System (G.I.S.) map created using data accessed from CT Environmental Conditions Online (CT ECO) of the Coastal Boundary Zone from <a href="http://www.cteco.uconn.edu/">http://www.cteco.uconn.edu/</a>
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"/>	On site water and sewer facilities are not included in rehabilitation work for 801 Ellsworth Avenue, Bridgeport, CT. Connecticut DEEP Bureau of Water Protection and Land Reuse map titled 'Connecticut Aquifer Protection Areas' dated December 16, 2013 does not identify aquifer protection areas in

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							the Bridgeport Connecticut near the project site. See attachment 5 for documentation.
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"/>	Project is located outside mapped Natural Diversity Data Base (NDDB) areas from CT DEEP. See attachment 6A for Geographic Information System (G.I.S.) map of NDDB areas created using data accessed from Connecticut Environmental Conditions Online (CT ECO) at <a href="http://www.cteco.uconn.edu/">http://www.cteco.uconn.edu/</a> . U.S. Fish & Wildlife Service Information, Planning, and Conservation (IPaC) List, included as attachment 6B, does not identify any Endangered Species, Critical Habitats, or Wildlife Refugees in the project site.
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 Eight Mile River or the Farmington River West Branch listed in the National Wild and 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"/>	No quantifiable increase in air pollution is measurable for proposed rehabilitation activities.
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"/>	All activity will occur inside existing structure foot print and 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"/>	Per 24 CFR 51 Subpart C and HUD Guidebook 6600.G rehabilitation work that does not alter the number dwelling units or a change of land use is not subject to Acceptable Separation Distance (ASD) requirements for HUD assisted projects near hazardous operations handling petroleum products or chemicals of an explosive or flammable nature.
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"/>	Noise Abatement and Control requirements per 24 CFR 51.101(a)(3) are not applicable to HUD assisted projects which restore facilities substantially as they existed prior to a disaster.
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"/>	The residential structure at 801 Ellsworth Avenue, Bridgeport, CT is located outside the Runway Clear Zone of Tweed/New Haven Commercial Airport.
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 project site at 801 Ellsworth Avenue, Bridgeport, CT is, <ul style="list-style-type: none"> <li>1. Not listed on EPA's NPL Lists (Proposed and Final) or the State of Connecticut's Superfund Priority List;</li> <li>2. Not listed in Comprehensive Environmental Response and Compensation Liability Information System (CERCLIS) database search as a Comprehensive Environmental Response and Compensation Liability Act (CERCLA) site;</li> <li>3. Not located within 3,000 feet of a landfill site as listed on CT DEEP's active landfill list;</li> <li>4. Not listed on CT DEEP's Underground Storage Tank list</li> </ul>

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							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
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"/>	The rehabilitation work at the project site, 801 Ellsworth Avenue, Bridgeport, CT, is compatible with the surrounding residential use and no adverse human health and environmental effects on minority or low income populations are expected. The City of Bridgeport, Connecticut is listed 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 7 for the 2013 listing of distressed municipalities in CT from the CT DECD in which The City of Bridgeport, CT is listed.
<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"/>	National Flood Insurance Program (NFIP), Flood Insurance Rate Map (FIRM) Number 09001C0436G, Revised July 8, 2013 identifies the property at 801 Ellsworth Avenue, Bridgeport, CT, outside Zone A and AE for a 100 Year Flood. See attachment 2 for documentation.
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"/>	Project at 801 Ellsworth Avenue, Bridgeport, CT is not located within a Coastal Barrier Resource System unit. See attachment 8 for documentation. Mapping is Geographic Information System (G.I.S.) map created using data digitized from official John H. Chafee Coastal Barrier Resource System maps enacted by law and endorsed by the U.S. Fish and Wildlife Service. Digital data was accessed from CT Environmental Conditions Online (CT ECO) at <a href="http://www.cteco.uconn.edu/">http://www.cteco.uconn.edu/</a>
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"/>	Project does not involve the purchase or sale of a property as such 24 CFR 58.6(d) is not applicable.
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, 801 Ellsworth Avenue, Bridgeport, CT, 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"/>	Project activities will not result in impounding, diverting, deepening, channelizing or modification of any stream or body of water. Project 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Residential Structure at 801 Ellsworth Avenue, Bridgeport, CT was built prior to 1978. The results of a Lead Paint Survey are included in attachment 9, 'Hazardous Materials Inspection Report, 801 Ellsworth Avenue, Bridgeport, CT', dated 30 July 2014, prepared by Facility Support Services, LLC. Lead based paint hazards identified in the survey will be abated or

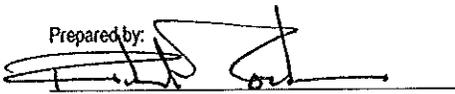
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							addressed with interim controls where appropriate per attachment 10, 'Lead Hazard Remediation Project, 801 Ellsworth Street, Bridgeport, CT' prepared by Gilbertco Lead Inspections LLC.
13 D. Asbestos	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Asbestos containing material was identified in sampled site materials to be disturbed for project work. Results of testing are included in attachment 9, 'Hazardous Material Inspection Report, 801 Ellsworth Avenue, Bridgeport, CT', dated 30 July 2014, prepared by Facility Support Services, LLC. Asbestos containing materials will be abated per, attachment 11, 'Asbestos Abatement Specifications', dated August 8, 2014, prepared by Chris Hudacek, CT DPH Project Designer License #0000239. Attachment 11 will be part of construction documents.
13 E. Radon [50.3 (f) 1]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Radon levels requiring mitigation were not found at the project site. Results of testing are included in attachment 9, 'Hazardous Material Inspection Report, Hazardous Material Inspection Report, 801 Ellsworth Avenue, Bridgeport, CT', dated 30 July 2014, prepared by Facility Support Services LLC.
13 F. Mold	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No specific regulation regarding the levels requiring mold mitigation or abatement are enacted by law in the State of Connecticut. Accelerated mold growth is not indicated by testing results at the project site. The procedures and results of the microbial testing for mold spores conducted at the project site are included in attachment 9, 'Hazardous Material Inspection Report, Hazardous Material Inspection Report, 801 Ellsworth Avenue, Bridgeport, CT', dated 30 July 2014, prepared by Facility Support Services, LLC.
Other: State or Local 14 A. Flood Management Certification [CGS 25-68]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	National Flood Insurance Program (NFIP), Flood Insurance Rate Map (FIRM) Number 09001C0436G, Revised July 8, 2013, identifies the property 801 Ellsworth Avenue, Bridgeport, CT outside Zone A and AE for a 100 Year Flood. See attachment 2 for documentation.
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"/>	Rehabilitation work at project site does not propose any adverse impacts to coastal resources nor propose any activity waterward of the coastal jurisdiction line.
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"/>	Connecticut Department of Energy and Environmental Protection 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. See attachment 12 for documentation. Mapping is Geographic Information System (G.I.S.) map created using data accessed from CT Environmental Conditions Online (CT ECO) of Tidal Wetlands Mapping accessed from <a href="http://www.cteco.uconn.edu/">http://www.cteco.uconn.edu/</a>

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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 work is outside known mapped wetlands. Project rehabilitation work is not expected to impact wetlands/watercourses.
14 E. Various municipal zoning approvals	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation activities at the project site will need review by City of Bridgeport Building Department for issuance of required building permit.

**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/RRFOF 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.

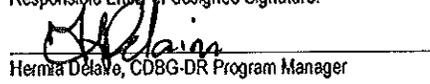
Prepared by:



Richard Couch, P.E., Member  
Martinez Couch & Associates, LLC.

8/4/2014  
Date

Responsible Entity or designee Signature:



Herma Delave, CDBG-DR Program Manager

9/5/14  
Date



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Fax: 860-436-4626  
[www.martinezcouch.com](http://www.martinezcouch.com)

Attachment 1 – Checklist Item # 1 Documentation – CT SHPO Determination Statement



Department of Economic and  
Community Development

Connecticut  
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July 18, 2014

Hermia M. Delaire, Program Manager  
CDBG-Sandy Disaster Recovery Program  
Department of Housing  
505 Hudson Street  
Hartford, CT 06106

RE: Applicant #1948, 801 Ellsworth Street, Bridgeport, CT

Dear Ms. Delaire:

The State Historic Preservation Office (SHPO) has reviewed the above-named project. In the opinion of the SHPO, the proposed undertaking will have no effect upon the state's cultural resources.

This office appreciates the opportunity to have reviewed and commented upon the project.

For further information, please contact Julie Carmelich at (860) 256-2762.

Sincerely:

Mary B. Dunne  
Deputy State Historic Preservation Officer

September 4, 2014

Lillian Ruiz  
Department of Housing  
505 Hudson Street  
Hartford, CT 06106

RE: Applicant 1948 - 801 Ellsworth Street, Bridgeport, CT

Dear Ms. Ruiz,

This letter is to provide a summary description of the Statutory Checklist for CDBG-DR Applicant – 1948, Nicole Phillips.

The following Statutory Checklist Items have backup documentation which is provided as attachments,

- Item 1 – CT State Historic Preservation Office (SHPO) Determination Statement
- Item 2 – National Flood Insurance Program FIRMette Map
- Item 3 – U.S. Fish and Wildlife Service, National Wetlands Inventory Mapping
- Item 4 – Connecticut Coastal Boundary Mapping
- Item 5 – Connecticut Aquifer Protection Area Mapping
- Item 6A – Natural Diversity Database Mapping
- Item 6B – U.S. Fish and Wildlife, Information Planning and Conservation List
- Item 11 – Connecticut Department of Economic and Community Development list of Distressed Municipalities
- Item 12-A – National Flood Insurance Program FIRMette Map, in Item 2 documentation
- Item 12-B – Coastal Barrier Resource System Map
- Item 13-C – Hazardous Material Inspection Report, Lead Hazard Remediation Project
- Item 13-D – Hazardous Material Inspection Report, Asbestos Abatement Specifications
- Item 13-E – Hazardous Material Inspection Report
- Item 13-F – Hazardous Material Inspection Report,
- Item 14-A – National Flood Insurance Program FIRMette Map, in Item 2 Documentation
- Item 14-C – Tidal Wetlands Map

Checklist list items requiring permitting and/or regulatory review include

- Item 4 – Coastal Zone Management
- Item 13-C – HUD Lead Safe Housing Rule Inspections and Clearance Exam.
- Item 13-D – Abatement plan prepared by a CT Licensed Asbestos Abatement Professional.

- Item 14-E – Review by City of Bridgeport Municipal board will be necessary to obtain a Building Permit

Please contact me at 860-436-4364 with questions or comments.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Richard Couch". The signature is stylized with a large, sweeping "R" and "C".

Richard Couch, PE

*Member*

Martinez Couch & Associates, LLC