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: Martinez Residence / #2025
14 Cooper Ave. Milford, Connecicut

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]	☒	☐	☐	☐	☐	☐	Consulted with State Historic Preservation Office (SHPO); Building built in 1915. SHPO determined the proposed work will have no adverse effect on the State's cultural rsources. See attached SHPO letter dated 4/10/14.
2. Floodplain Management [58.5(b)] [EO 11988] [24 CFR 55]	☐	☒	☒	☐	☐	☐	Located in Flood Zone AE based on FEMA – Map Number 09009C0529J Revised July 8, 2013. See attached FIRMLET.
3. Wetland Protection [58.5 (b)]	☒	☐	☐	☐	☐	☐	Anticipated impacts on wetlands minimal due to majority of activities limited to pre-storm building footprint. Consulted City of Milford Inland Wetlands. No mapped wetlands. See attached National Wetlands Mapper.
4. Coastal Zone Management [58.5(c)] [CGS 22a-100(b)]	☐	☒	☒	☐	☐	☐	Site is located within the Coastal Boundary as mapped by DEEP.
5. Water Quality – Aquifers [58.5(d)] [40 CFR 149] Clean Water Act 1977 Safe Drinking Water Act 1974	☒	☐	☐	☐	☐	☐	Water Quality – N/A Project does not involving on-site water and sewer facilities nor is it in a sole source acquifer zone.
6. Endangered Species [58.5(e)] [16 U.S.C. 1531 et seq.] [CGS 26-310]	☒	☐	☐	☐	☐	☐	NOT LOCATED AT WATERFRONT PROPERTIES WITH SANDY BEACHES - consult with Department of Interior Fish and Wildlife Database – See attached Department of Interior Fish and Wildlife report.dated October 3, 2014.
7. Wild and Scenic Rivers [58.5 (f)] [16 U.S.C. 1271 et seq.]	☒	☐	☐	☐	☐	☐	Eightmile River is only designated wild & scenic river within program area running through Lyme, Salem and East Haddam, CT (rivers.gov; November 2012)
8. Air Quality [58.5(g)] [42 U.S.C. 7401 et seq.]	☒	☐	☐	☐	☐	☐	Clean Air Act, State Implementation Plan, HUD & EPA Regulations; in general, residential rehabilitation exempted w/no quantifiable increase in air pollution.

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9. Farmland Protection [58.5(h)]	☒	☐	☐	☐	☐	☐	Agricultural land use conversion not anticipated. Adverse effects to agricultural resources are not anticipated; clearly defined urban areas . Location not considered protected farmland
Manmade Hazards: 10 A. Thermal Explosive [58.5(i)]	☒	☐	☐	☐	☐	☐	N/A for projects that do not add density
10 B. Noise [58.5(l)]	☒	☐	☐	☐	☐	☐	Not applicable to project – restoration of structure substanitially as it existed prior to Super Storm Sandy.
10 C. Airport Clear Zones [58.5 (i)]	☒	☐	☐	☐	☐	☐	Not applicable - Two (2) FAA designated Commercial Service airports in program area: Tweed New Haven Regional and Groton-New London. This property is not located in an Airport Clear Zone. Property does not involve the purchase or sale of an existing property in an airport zone.
10 D. Toxic Sites [58.5 (i)(2)(i)]	☒	☐	☐	☐	☐	☐	The site has no known toxic history based on the attached Toxix Site Certification. The site: 1) is not listed on EPA Superfund National Prioritiyes or CERCLA list. 2) is not located within 3,000ft of a toxic or solid waste landfill. 3) is not known to have an undergroud storage tank (which is not an undergroud storage fuel tank). 4) Is not known or suspected to be contaminated by radioactive chemicals or radioactive materials.
11. Environmental Justice [58.5(j)]	☒	☐	☐	☐	☐	☐	Executive Order 12898 Program activities do not anticipate high & adverse human health and environmental effects on minority or low-income populations;
Document Laws and authorities listed at Sec. 58.6 and other potential environmental concerns							
12 A. Flood Insurance [58.6(a) & (b)]	☐	☒	☒	☐	☐	☐	Located in Zone AE – Map Number 09009C0529J Revised July 8, 2013. See attached FIRMLET Flood insurance required.
12 B. Coastal Barriers [58.6(c)]	☒	☐	☐	☐	☐	☐	Property is not located in a Coastal Barrier Resource Zone. See attach map.
12 C. Airport Clear Zone Notification [58.6(d)]	☒	☐	☐	☐	☐	☐	Not applicable - Two (2) FAA designated Commercial Service airports in program area: Tweed New Haven Regional and Groton-New London. This property is not located in an Airport Clear Zone. Property does not involve the purchase or sale of an existing property in an airport zone.

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.
13. A Solid Waste Disposal [42 U.S.C. S3251 et seq.] and [42 U.S.C. 6901-6987 eq seq.]	☒	☐	☐	☐	☐	☐	Resource Conservation and Recovery Act and Solid Waste Disposal Act; Residential Exemption
13 B. Fish and Wildlife [U.S.C. 661-666c]	☒	☐	☐	☐	☐	☐	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]	☒	☒	☐	☐	☐	☐	No Lead paint found - See attached Limited Hazardous Materials Inspection Report from Fuss & O'Neill EnviroScience LLC dated April 2014, revised May 2014. Give tenant Notice about Lead.
13 D. Asbestos	☐	☒	☒	☒	☐	☐	Asbestos assumed -- See attached Limited Hazardous Materials Inspection report from Fuss & O'Neill EnviroScience LLC dated April 2014, revised May 2014. Supplemental testing recommended of inaccessible areas. Compliance will include measures to minimize risk of exposure and when necessary abate any hazardous materials if found.
13 E. Radon [50.3 (i) 1]	☒	☐	☐	☐	☐	☐	Radon concentration less than 4 picocuries per liter of air. See attached Limited Hazardous Materials Inspection Report from Fuss & O'Neill EnviroScience LLC dated April 2014, revised May 2014. No action required.
13 F. Mold	☒	☐	☐	☐	☐	☐	No Mold Found - See attached Limited Hazardous Materials Inspection Report from Fuss & O'Neill EnviroScience LLC dated April 2014, revised May 2014. No action required.
Other: State or Local 14 A. Flood Management Certification [CGS 25-68]	☐	☐	☒	☐	☐	☐	Property inside Flood Zone AE on FEMA map 09009C0529J Revised July 8, 2013. Certification through the General Permit for CDBG-DR activities with DEEP required. See appendix B Certification form and required documents.
14 B. Structures, Dredging & Fill Act [CGS 22a-359 through 22a-363f]	☒	☐	☐	☐	☐	☐	Not applicable - this project is not waterward of the Coastal Jurisdiction Line.
14 C. Tidal Wetlands Act [CGS 22a-28 through 22a-35]	☒	☒	☐	☐	☐	☐	Not located in Tidal wetlands – see attached Zoning Location Survey. Tidal marsh wetlands located approximately 230 ft to the South and 250 feet to the north.
14 D. Local inland wetlands/watercourses [CGS 22a-42]	☒	☐	☐	☐	☐	☐	Not located in wetlands - see attached letter from MaryRose Polumbo Inland Wetlands Compliance Officer.
14 E. Various Municipal Zoning Approvals	☐	☒	☐	☐	☐	☐	Approvals required by Planning/Zoning Commission or ZBA. If any work outside original building footprint.

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/authories 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 reasult 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: Stephen Ball — Date: 10/4/14

Responsible Entity or designee Signature:

Hermia Delaire, CDBG-DR Program Manager — Date: 10/9/2014