

**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  
(008-2140) 411 Blohm. West Haven, CT 06516

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
<b>Document Laws and authorities listed at 24 CFR Sec. 58.5</b>							
1. Historic Properties [58.5(a)] [Section 106 of NHPA]					<b>X</b>		The State Historic Preservation Office reviewed the project and stated that the proposed project will have no effect upon the state's cultural resources. See attachment 1 (letter from SHPO dated 5/20/2014).
2. Floodplain Management [58.5(b)] [Ex Or 11988] [24 CFR 55]	<b>X</b>						Property is outside of flood zone A and AE. See attachment 2, Flood Insurance Rate Map (FIRM) Number 09009C0439J from FEMA at <a href="https://msc.fema.gov">https://msc.fema.gov</a> .
3. Wetland Protection [58.5 (b)]	<b>X</b>						Property is not in wetland area according to City of West Haven GIS data and United States Fish and Wildlife Services (USFWS) at <a href="http://www.fws.gov/wetlands/Data/Mapper.html">http://www.fws.gov/wetlands/Data/Mapper.html</a> . See attachments 3 and 4.
4. Coastal Zone Management [58.5(c)]	<b>X</b>						Property is outside Coastal Boundary Area. See attachment 5 created from GIS data of the Coastal Boundar Zone from CT Environmental Conditions Online (CT ETO) at <a href="http://cteco.uconn.edu/map_catalog.asp">http://cteco.uconn.edu/map_catalog.asp</a> .
5. Water Quality – Aquifers [58.5(d)] [40 CFR 149]	<b>X</b>						Property is not in aquifer protection zone. There are no aquifers in West Haven, CT This project does not involve on-site water and/or sewer facilities.
6. Endangered Species [58.5(e)] [16 U.S.C. 1531 et seq.]	<b>X</b>						Property is not located within NDDB area and is not a waterfront property with sandy beach. See attachment 6 of NDDB map created from CT ECO GIS data at <a href="http://cteco.uconn.edu/map_catalog.asp">http://cteco.uconn.edu/map_catalog.asp</a> . According to the FWS Natural Resources of Concern report from <a href="http://ecos.fws.gov/ipac/">http://ecos.fws.gov/ipac/</a> , there are no listed species, there are no critical habitats, and there are no wildlife refuges within the vicinity of the property. See attachment 7.
7. Wild and Scenic Rivers [58.5 (f)] [16 U.S.C. 1271 et seq.]	<b>X</b>						Property location is greater than one mile from a wild and scenic river.

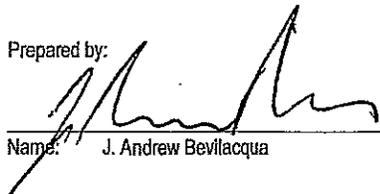
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8. Air Quality [58.5(g)] [42 U.S.C. 7401 et seq.]	X						The project is residential rehabilitation with no anticipated quantifiable increase in air pollution.
9. Farmland Protection [58.5(h)]	X						This project is in an urban residential area, there is no landuse conversion, and work will be confined to the existing building footprint.
Manmade Hazards 10 A. Thermal Explosive [58.5(i)]	X						Project will not add density.
10 B. Noise [58.5(j)]	X						Project is restoration of structure substantially as it existed prior to Superstorm Sandy.
10 C. Airport Clear Zones [58.5 (l)]	X						Property not located in airport clear zone. See attachment 8.
10 D. Toxic Sites [58.5 (l)(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.
11. Environmental Justice [58.5(f)]	X						The property is not located in a minority or low-income population neighborhood.
<b>Document Laws and authorities listed at Sec. 58.6 and other potential environmental concerns</b>							
12 A. Flood Insurance [58.6(a) & (b)]	X						Flood Insurance will not be required because the Property is outside Zone A and AE according to FIRM Number 09009C0439J (see attachment 2).
12 B. Coastal Barriers [58.6(c)]	X						Property is not located in Coastal Barrier Resources System. See attachment 9 that was found on CT ECO at <a href="http://cteco.uconn.edu/map_catalog.asp">http://cteco.uconn.edu/map_catalog.asp</a> .
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.
13 A. Solid Waste Disposal [42 U.S.C. 93251 et seq.] and [42 U.S.C. 6901-6987 eq seq.]	X						The project consists of repairing the roof. Construction debris must be put in a rented dumpster because the City of West Haven does not accept construction refuse.
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.
13 C. Lead-Based Paint [24 CFR Part 35] and [40 CFR 745.80 Subpart E]	X						Lead was not found during field testing on 4/25/2014. See attached report (attachment 10).

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13 D. Asbestos						X	Asbestos was found on the upper roof during field testing on 4/25/2014. See attached report (attachment 11). Compliance will include notification and removal of asbestos hazards.
13 E. Radon [50.3 (i) 1]	X						Radon testing was conducted on 4/25/2014, and the results were negative. See attachment 12.
13 F. Mold			X				Possible mold detected upon initial inspection of house. Further inspection required prior to starting work. Any mold contamination detected prior to or during work must be mitigated.
Other: State or Local 14 A. Flood Management Certification [CGS 25-68]	X						Flood Management Certification is not required since property is outside of a flood zone A and AE according to FIRM Number 09009C0439J (see attachment 2).
14 B. Structures, Dredging & Fill Act [CGS 22a-359 to 22a-363]	X						Property not waterward of Coastal Jurisdiction Line.
14 C. Tidal Wetlands Act [CGS 22a-28 to 22a-35]	X						Property not located in tidal wetlands. See attachments 3 and 4.
14 D. Local inland wetlands/watercourses [CGS 22a-42]	X						Property not located in inland wetlands. See attachments 3 and 4.
14 E. Various municipal zoning approvals				X			House does not conform to local zoning regulations. For zone R-2, the lot should be a minimum of 16,000 SF (0.37 acres), and the property is 0.23 acres. Variances may be required prior to starting work. See attached assessor field card (attachment 13).

**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/ROF 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:

  
Name: J. Andrew Bevilacqua

07.01.14  
Date

Responsible Entity or designee Signature:

  
Hermia Delaire, CDBG-DR Program Manager

7/2/2014  
Date