



State of Connecticut

# Environmental Review Checklist

Last Updated 02/25/2020

## Instructions for Use:

The Environmental Review Checklist (ERC), as defined in Sec. 22a-1a-1(9) of the Regulations of Connecticut State Agencies (RCSA), is intended to assist state agencies in (1) determining whether a proposed action or category of actions requires public scoping, or (2) in recording an agency's initial assessment of the direct, indirect, and cumulative environmental effects of a proposed action at the completion of public scoping.

For the purposes of CEPA, an Action is defined in Sec 22a-1a-1(2) of the RCSA as an individual activity or a sequence of planned activities initiated or proposed to be undertaken by an agency or agencies, or funded in whole or in part by the state.

Completion of the ERC is only *required* as part of a sponsoring agency's post-scoping notice in which the agency has determined that it will not be preparing an EIE (Sec. 22a-1a-7(d) of the RCSA).

In all other instances, the sponsoring agency has the option to use this form or portions of it, in conjunction with the applicable Environmental Classification Document (ECD), as a tool to assist it in determining whether or not scoping is required and to document the agency's review. This can be especially useful for an agency administering a proposed action that is not specifically represented in the ECD or which may have additional factors and/or indirect or cumulative impacts requiring further consideration.

Even if an agency ultimately determines that public scoping is not necessary, as a matter of public record OPM highly recommends that the agency internally document its decision, and its justification.

In completing this form, include descriptions that are clear, concise, and understandable to the general public.

Note that prior to reviewing a proposed action under the Connecticut Environmental Policy Act (CEPA), Connecticut General Statutes (CGS), Section 16a-31 requires agencies to review any proposed actions for the acquisition, development or improvement of real properties, or the acquisition of public transportation equipment or facilities, and in excess of \$200,000, for consistency with the policies of the State Plan of Conservation and Development (State C&D Plan).



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## PART I – Initial Review and Determination

Date: 03/08/2024  
Name of Project/Action: MLK Apartments  
Project Address(es): 79-107 Van Block Avenue, Hartford, CT  
Affected Municipalities: Hartford  
  
Sponsoring Agency(ies): DOH  
Agency Project Number, if applicable: HM/HT2406403; HUD/State ID # M-22-SG-09-0100 (HOME Investment Partnership Program)  
Project Funding Source(s)/Program(s), if known: \$7.7M HOME Investment Partnership Program, & \$4M State Housing Trust Fund

Identify the Environmental Classification Document (ECD) being used in this review:

- Generic, or  Agency-Specific
- An environmental assessment or environmental impact statement is being prepared pursuant to NEPA and shall be circulated in accordance with CEPA requirements.
- The proposed action requires a written review by the State Historic Preservation Office (SHPO) and/or Nation Tribal Historic Preservation Office (NATHPO). Include SHPO/NATHPO reviews as an attachment or indicate the status of those reviews: Received “no historic properties will be affected” letter from SHPO.

Based on the analysis documented in this Environmental Review Checklist (ERC), and in consideration of public comments, this agency has determined that the preparation of an Environmental Impact Evaluation (EIE) for the proposed action is not warranted. Publication of this document to the Environmental Monitor shall satisfy the agency’s responsibilities under [Section 22a-1a-7 of the Regulations of Connecticut State Agencies](#) (RCSA).

Completed by: Mithila Chakraborty, Ph.D., Environmental Analyst 1

*Note that prior to commencing a CEPA review, Connecticut General Statutes (CGS) Section 16a-31 requires state agencies to review certain actions for their consistency with the policies of the State Plan of Conservation and Development (State C&D Plan). Completion of this ERC assumes the agency has determined this proposed action to be consistent with the State C&D Plan.*

## **PART II – Detailed Project Information**

### **Description of the Purpose & Need of the Proposed Action:**

MLK Apartments is a 64-unit apartment community located on Van Block Avenue in Hartford's Sheldon/Charter Oak neighborhood. The complex was built in 1970 as affordable housing for families displaced by urban renewal. The plans envision a transformation to a denser and more pedestrian-friendly urban neighborhood. To attract residents of a mix of incomes, while ensuring no displacement of current residents, the proposed unit mix consists of both market rate and affordable flats and townhouses. The newly transformed community will include 70 one-bedroom units, 63 two-bedroom units, and 22 three-bedroom units. The subsidy provided through the 8bb process will provide affordable apartment homes for the low-income residents of Hartford.

### **Description of the Proposed Action:**

The low-income residential apartment buildings located at 79-107 Van Block Avenue are proposed for demolition and redevelopment. The planned activities include the demolition of the existing residential apartment buildings (eight residential apartment buildings consisting of eight apartment units; each consisting of six 3-bedroom units and two 2-bedroom units built circa 1966 and a community building built circa 2004).

The redevelopment of the site will consist of low-income housing to include fifteen buildings and 161 residential apartment units (70 1-bedroom units, 72 2-bedroom units, and 19 3-bedroom units). The redevelopment will not increase the project sites footprint or impact any adjacent properties.

### **Alternatives Considered:**

No Action Alternative.

### **Public concerns or controversy associated with the proposed action:**

None.

**PART III – Site Characteristics (Check all that apply)**

- The proposed action is non-site specific, or encompasses multiple sites;
- Current site ownership:  N/A,  State;  Municipal,  Private,  Other: Please Explain.
- Anticipated ownership upon project completion:  N/A,  State;  Municipal,  Private,  Other: Please Explain.

**Locational Guide Map Criteria:**

<http://ctmaps.maps.arcgis.com/apps/webappviewer/index.html?id=ba47efccdb304e02893b7b8e8cff556a>

**Priority Funding Area factors:**

- Designated as a Priority Funding Area, including  Balanced, or  Village PFA;
- Urban Area or Urban Cluster, as designated by the most recent US Census Data;
- Public Transit, defined as being within a ½ mile buffer surrounding existing or planned mass transit;
- Existing or planned sewer service from an adopted Wastewater Facility Plan;
- Existing or planned water service from an adopted Public Drinking Water Supply Plan;
- Existing local bus service provided 7 days a week.

**Conservation Area factors:**

- Core Forest Area(s), defined as greater than 250 acres based on the 2006 Land Cover Dataset;
- Existing or potential drinking water supply watershed(s);
- Aquifer Protection Area(s);
- Wetland Soils greater than 25 acres;
- Undeveloped Prime, Statewide Important and/or locally important agricultural soils greater than 25 acres;
- Category 1, 2, or 3 Hurricane Inundation Zone(s);
- 100 year Flood Zone(s);
- Critical Habitat;
- Locally Important Conservation Area(s),
- Protected Land (list type): Enter text.
- Local, State, or National Historic District(s).

**PART IV - Assessment of Environmental Significance – Direct, Indirect, And Cumulative Effects**

<b>Required Factors for Consideration (Section 22a-1a-3 of the RCSA)</b>	<b>Agency’s Assessment and Explanation</b>
Effect on water quality, including surface water and groundwater;	<p>The proposed action will not result in any impact to groundwater and surface water quality.</p> <p>DEEP comments indicated the applicability of Stormwater and Dewatering Wastewaters from Construction Activities depending on the size of the disturbance regardless of phasing. This general permit applies to discharges of stormwater and dewatering wastewater from construction activities where the activity disturbs more than an acre.</p> <p>There is approved Stormwater Management Plan for MLK Apartments. This SWPCP has been reviewed and approved and is consistent with the requirements of the general permit.</p>
Effect on a public water supply system;	<p>The project will not have any impact on public water supply system. The location of this project is not in an aquifer protection area.</p> <p>The site is serviced by the municipal sanitary sewer. The site is serviced by the Metropolitan District (MDC). No change is anticipated as the project site is currently developed with residential apartment buildings. The development team has considered all best management practices to reduce the volume of sewer discharge into the municipal system and will implement those to the fullest extent practicable during construction.</p>
Effect on flooding, in-stream flows, erosion or sedimentation;	<p>The project site is not located in 100- or 500-year flood zone but in an area where there is reduced flood risk due to levee. For a critical activity (housing) where the site is protected by a levee, Flood Management Certification (FMC) may be required unless the applicant can demonstrate the levee is certified to project the 500-year elevation.</p> <p>DEEP commented Flood Management Certification may be required unless the applicant can demonstrate that the levee is certified to protect to the 500-yr elevation since a critical activity (housing) is regulated to that elevation. A pre-application meeting can be requested with the Land and Water Resources Division if needed.</p> <p>On DOH’s request the licensed senior engineer determined the MLK site on Van Block Avenue, in Hartford, where top elevation of the levee is higher than the 500-year elevation and is protected by</p>

	<p>the Hartford levee system and doesn't need FMC. The levee was designed to protect against 500-year floodzone. This was also verified by Director of the Greater Hartford Flood Commission (and City Engineer of Hartford).</p>
<p>Disruption or alteration of an historic, archeological, cultural, or recreational building, object, district, site or its surroundings; A. Alteration of an historic building, district, structure, object, or its setting; OR B. Disruption of an archeological or sacred site;</p>	<p>Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project complies with Section 106. As per State Historic Preservation Office (SHPO) 79-99 Van Block Avenue does not appear to be eligible for listing on the National Register of Historic Places and no historic properties will be affected. As part of NEPA review Tribal consultation was also done with state recognized tribes and no response/concern received being on archeological site or site of tribal interest.</p>
<p>Effect on natural communities and upon critical plant and animal species and their habitat; interference with the movement of any resident or migratory fish or wildlife species;</p>	<p>The project is not located in any Natural Diversity Database area.</p> <p>According to DEEP too it was not in a Natural Diversity Database Area. So, this project will not have any effect on natural communities of critical habitat. There is no floodzone or wetland hazard so the project will not affect any fish or aquatic animal.</p>
<p>Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to cause unreasonable adverse effects on the environment;</p>	<p>Based on the type and the nature of the development, the use of pesticides, toxic or hazardous materials are not anticipated.</p> <p>The project's site 79-107 Van Block Avenue, Hartford, Connecticut site contamination was evaluated as follows: ASTM Phase I ESA (April 3, 2023). Previously Phase II was done in 2013. Based on the scope of services conducted and the information reviewed, no recognized environmental conditions (RECs) was identified at the subject property. The three areas of concern (AOCs) identified, (1) urban fill which will be solved by engineered control variance (capping) through the soil management plan, (2) former UST of 10000 gallon-which was removed and soil and groundwater were tested through phase II in 2013 and no concern was found, and (3) Two gasoline tanks-they were located in 1950 Sanborn map and though no records of removing those found but one of their location coincides with one of the current building and AOC-2 UST and thought that certainly tanks had been removed during excavation for the foundations of the new buildings (circa 1968) or installation of the 10,000-gallon UST so the historic gasoline tanks are no longer present and have not affected the environmental condition of the subject property. Therefore, no further investigation is required.</p>
<p>Substantial aesthetic or visual effects;</p>	<p>The project is not expected to cause substantial aesthetic or visual impacts in the area.</p>
<p>Inconsistency with: (A) the policies of the State C&amp;D Plan, developed in</p>	<p>Proposed project is consistent with the State C&amp;D Plan Growth</p>

accordance with section 16a-30 of the CGS; (B) other relevant state agency plans; and (C) applicable regional or municipal land use plans;	Management principles #1 (Redevelop and Revitalize Regional Centers and Areas with Existing or Currently Planned Physical Infrastructure); Growth Management Principle #2 (Expand Housing Opportunities and Design Choices to Accommodate a variety of Household Types and Needs); and Growth Management Principle #3 (Concentrate Development around Transportation Nodes and Along Major Transportation Corridors to Support the Viability of Transportation Options).
Disruption or division of an established community or inconsistency with adopted municipal and regional plans, including impacts on existing housing where sections 22a- 1b(c) and 8-37t of the CGS require additional analysis;	Temporary disruption is expected during demolition and reconstruction but the long-term affect will be positive to the site and neighborhood.
Displacement or addition of substantial numbers of people;	No direct, indirect, or cumulative impacts.
Substantial increase in congestion (traffic, recreational, other);	The project is unlikely to result in significantly more traffic than currently exists or historically existed in the project area. During work there can be some temporary traffic but best management practice can be adopted to reduce the impact.
A substantial increase in the type or rate of energy use as a direct or indirect result of the action;	Some increase may occur as the building will be residential.  The project must meet, at a minimum, the City of Hartford and the State of Connecticut's basic building codes, zoning ordinances, and the Model Energy Code. Energy-conserving features will be designed into the site including the use of insulation in walls, insulating windows, energy-efficient lights and utilities, and water-saving fixtures on plumbing.
The creation of a hazard to human health or safety;	The redevelopment will reduce any risk associated with health and safety. 911 services are available throughout the City of Hartford for public safety emergencies. The Hartford Police Department is located at 253 High Street, approximately 1.3 miles from the site.
Effect on air quality;	The proposed project is not a commercial or industrial facility. The proposed project is residential apartments of five or more dwelling units. This project includes the demolition of the existing buildings and the construction of new residential buildings. During demolition and reconstruction there can be a little air dust issue, but no direct, indirect or cumulative impacts are anticipated.  To ensure compliance with NEPA Air quality, as the project's site 79-107 Van Block Avenue, Hartford, Connecticut county or air quality management district is in non-attainment status for the following: Carbon monoxide, Ozone a <i>deminimis</i> calculation was

	<p>done. 8-hour ozone and carbon monoxide were both determined to be below the 100 tons per year (100 TPY) de minimis threshold level and therefore there is no expected impact from the project. This project does not exceed de minimis emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above.</p> <p>DEEP Bureau of Air Management typically recommends the use of newer off-road construction equipment that meets the latest EPA or California Air Resources Board (CARB) standards. If newer equipment cannot be used, equipment with the best available controls on diesel emissions including retrofitting with diesel oxidation catalysts or particulate filters in addition to the use of ultra-low sulfur fuel would be the second choice that can be effective in reducing exhaust emissions. The use of newer equipment that meets EPA standards would obviate the need for retrofits.</p> <p>DEEP also recommends the use of newer on-road vehicles that meet either the latest EPA or California Air Resources Board (CARB) standards for construction projects. These on-road vehicles include dump trucks, fuel delivery trucks and other vehicles typically found at construction sites. On-road vehicles older than the 2007-model year typically should be retrofitting with diesel oxidation catalysts or diesel particulate filters for projects. Again, the use of newer vehicles that meet EPA standards would eliminate the need for retrofits.</p> <p>DOH advised client to adopt best management practices including those from DEEP to reduce potential air quality impacts. The construction manager will utilize current standards limiting emissions in order to meet EPA standards</p>
Effect on ambient noise levels;	The nearest noise generators are a CTDOT rail line located approximately 1,275 feet to the east and Interstate Highway 91 located approximately 1,300 feet to the east. A Noise Assessment was conducted for both sources and the combined DNL was determined to be 65 dB, which does not exceed the 65 dB noise limit.
Effect on existing land resources and landscapes, including coastal and inland wetlands;	Not any adverse impact on coastal or inland wetland are anticipated.
Effect on agricultural resources;	Not any adverse impact on agricultural land is anticipated.
Adequacy of existing or proposed utilities and infrastructure;	Existing utilities are present on site and in the area.



Effect on greenhouse gas emissions as a direct or indirect result of the action;	Not any adverse impact is anticipated.
Effect of a changing climate on the action, including any resiliency measures incorporated into the action;	The project site was previously developed with a town garage and residential apartment buildings and is being re-developed with new residential apartment buildings. Based on the scope of the project, no climate change impacts are anticipated.
Any other substantial effects on natural, cultural, recreational, or scenic resources.	Not any adverse impact is anticipated.
Cumulative effects.	Based on the scope of the project, the proposed project is not anticipated to result in any cumulative impact on the environment. The project will provide additional affordable housing in the Hartford area.

### PART V - List of Required Permits, Approvals and/or Certifications Identified at the Time of this Review

DEEP has made recommendations in their review letter dated September 7, 2023 (attached). On request of DOH, Developer/Consultants confirmed that all comments were considered.

(1) Stormwater and Dewatering Wastewaters from Construction Activities General Permit: There is an approved Stormwater Management Plan for MLK Apartments. This SWPCP has been reviewed and approved and is consistent with the requirements of the general permit.

(2) Flood Management Certification: Flood Management Certification Non-Requirement letter and a demonstration of levee is certified to protect the 500-year elevation was received from Senior project manager. An email from Director of the Greater Hartford Flood Commission (and City Engineer of Hartford), stating that the levee system is designed to protect against a 500-year flood was also received attached with above letter. The City of Hartford has confirmed that the existing levee system is designed to protect against a 500-year flood.

(3) Municipal Wastewater: The development team has considered all best management practices to reduce the volume of sewer discharge into the municipal system and will implement those to the fullest extent practicable during construction.

(4) Solid Waste Disposal: The construction manager has selected companies who have presented a detailed construction/demolition waste management for reuse/recycling. The development plan will utilize best practices, which will ensure compliance with DEEP's Waste Management Plan.

(5) Special Waste: All ACM and/or PCBs will be disposed of by licensed professionals, trained in proper disposal practices. All such special waste will be disposed of at facilities that are specifically authorized to accept ACM and/or PCBs.

(6) Air Management: The construction manager will utilize current standards limiting emissions in order to meet EPA standards.

#### **PART VI – Sponsoring Agency Comments and Recommendations**

Based on the environmental assessment of the proposed project, DOH recommends that the project proceed as proposed and preparation of an Environmental Impact Evaluation (EIE) is not warranted.

#### **PART VII - Public Comments and Sponsoring Agency Responses:**

No public comments provided during scoping notice period.