

**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: 1588- Madasci Residence –  
53 Roseleah Dr, Mystic, CT**

**Project Scope:** Complete demolition and new construction above 1 foot of freeboard over 500 BFE.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Historic properties will be affected by this project. See attachment 1 as reference SHPO letter dated February 3, 2017.
2. Floodplain Management [58.5(b)] [EO 11988] [24 CFR 55]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property at 53 Roseleah Dr, Mystic,, CT is inside VE flood plain (EL 14). - FIRM map 09011C0527J, effective on 08/05/2013. All work to comply with the Flood Management Certificate. See attachment 2
3. Wetland Protection [58.5 (b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 the wetland zone. See attachment 3
4. Coastal Zone Management [58.5(c)] [CGS 22a-100(b)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project involves demolition and new construction and is located <u>inside</u> the Coastal Boundary Area. Consultation with Planning/Zoning Commissions or ZBA required. See attached letter 14E.
5. Water Quality – Aquifers [58.5(d)] [40 CFR 149] Clean Water Act 1977 Safe Drinking Water Act 1974	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water Quality – N/A. Project does not involves on-site water and sewer facilities/ Aquifers – CT DEEP Bureau of Water Protection and Land Reuse map titled "Connecticut Aquifer Protection Areas" dated July 21, 2014, does not identify aquifer protection areas in the Town of Mystic-Stonington, CT. See attachment 5.
6. Endangered Species [58.5(e)] [16 U.S.C. 1531 et seq.] [CGS 26-310]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site is not located within a NDDB area ; it is waterfront property but not with a sandy beach. See attached map 6 NDDB review <u>not</u> required.

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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 Eightmile River or the Farmington River West Branch listed in the National Wild & 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"/>	Project involves demolition and new construction. Asbestos containing materials have not been found on site see point 13D. Clean Air Act, State Implementation Plan, HUD & EPA Regulations; in general, residential rehabilitation exempted w/no quantifiable increase in air pollution. Implement Best Managements Practices that control dust and other emmissions during construction.
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"/>	N/A- Project activities occur in a clearly defined urban area; 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"/>	24 CFR 51 Subpart C & HUD Guidebook; N/A – Project does not increase unit density or change of use.
10 B. Noise [58.5(j)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 CFR 51 Subpart B. HUD's The Noise Guidebook; N/A- Project activities restore facilities substantially as they existed prior to the disaster. Noise assessment is not required.
10 C. Airport Clear Zones [58.5 (l)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 CFR 51 Subpart D 51.303 (a)(3): The residential structure located at 53 Roseleah Dr, Mystic, CT is NOT located on the Runway Clear Zone of Groton- New London Regional commercial airport.
10 D. Toxic Sites [58.5 (l)(2)(i)]  <ul style="list-style-type: none"> <li>Site walk to observe and record poor site conditions: Yes <input type="checkbox"/> No <b>X</b></li> <li>Evaluating local, historical land use records: Yes <b>X</b> No <input type="checkbox"/></li> <li>On and Off-site State, Federal, and Tribal databases: Yes <input type="checkbox"/> No <b>X</b></li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site 1) is not listed on EPA Superfund National Priorities or CERCLA List or equivalent State list, 2) is not located within 3,000 feet of a capped solid waste landfill which existed prior to the disaster. Nearest landfills are towns of Stonington and Groton. 3) there are not known non-residential underground storage fuel oil tank and 4) is not known or suspected to be contaminated by toxic chemicals or radioactive materials. See attachment 10D.
11. Environmental Justice [58.5(l)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is not located within a predominately minority or low income neighborhood.

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<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	FIRM Map 09011C0527J, effective on 08/05/2013 locates the property in Zone VE. See attachment 2. Per federal regulations and program guidelines, for site-specific projects located within a Special Flood Hazard Area (SFHA), the assisted homeowners are required to maintain flood insurance coverage for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less, in perpetuity.
12 A1. Proof of current Flood Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All award recipients located in a SFHA are required to acknowledge the requirement, in accordance with federal law, that flood insurance must be maintained for the life of the property and upon transfer of the property to subsequent owners. The acknowledgement is filed on the municipal land records to ensure future owners of the property are notified.
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"/>	Coastal Barrier Resource Act: Property is not in Coastal Barrier Resources System; See attached map, John Chafee Coastal Barrier Resources System. See attached map 12B.
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"/>	24 CFR 51 Subpart D 51.303 (a)(3): The residential structure located at 53 Roseleah Dr, Mystic, CT is NOT located on the Runway Clear Zone of Groton- New London Regional commercial airport.
13. A Solid Waste Disposal [42 U.S.C. S3251 et seq.] and [42 U.S.C. 6901-6987 eq seq.]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project consist of demolition and new building construction. Consultation required for the proximity of solid waste disposal services to the site and the capacity of services to accommodate the project.
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"/>	Fish and Wildlife Coordination Act: Project activities will not result in impounding, diverting, deepening, channelizing or modification of any stream or body of water and is not a water control project.
13 C. Lead-Based Paint [24 CFR Part 35] and [40 CFR 745.80 Subpart E]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A survey of the site performed by Loureiro Engineering identifies NO lead-based paints on any painted components.

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							See attached hazardous materials inspection report 13C for recommendations / requirements.
13 D. Asbestos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An inspection of the dwelling performed by Loureiro Engineering identifies NO asbestos-containing materials and may be removed at will and disposed as standard construction debris. See attached hazardous materials inspection report 13D for recommendations / requirements.
13 E. Radon [50.3 (j) 1]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Residence will be demolish and new construction will be raised on piers (open below)
13 F. Mold	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Loureiro Engineering did not conduct mold sampling since residence is scheduled for demolition.. See attached hazardous materials inspection report 13F.
Other: State or Local 14 A. Flood Management Certification [CGS 25-68]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The property is located in Flood Zone VE. All work to comply with Flood Management certificate and the General Permit required by the DEEP. See property location noted on the FEMA FIRMette Map 09011C0527J, effective on 08/05/2013.
14 B. Structures, Dredging & Fill Act [CGS 22a-359 through 22a-363f]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project rehabilitation work does not propose any adverse impacts to coastal resources nor propose any activities waterward of the Coastal Jurisdiction line (CJL)
14 C. Tidal Wetlands Act [CGS 22a-28 through 22a-35]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Tidal wetlands have been identified. Project is not located within a tidal wetland. Obtaining local wetland approvals, if necessary, will be included within construction Scope of Work. See attachment 14D.
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 Site does not contain known mapped wetlands soil. Project activities do not propose any activities on wetland soils. See attachment 14D.
14 E. Various Municipal Zoning Approvals	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation activities at the project site will need review by Town of Stonington, CT Building Department for issuance of required building permit. Zoning Board of Appeals have approved project with one stipulation. See attached letter 14E.

**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/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:

Anita Macagno-Cecchetto, RA



09-19-2017 / 03-22-2019

Name:

Date

Responsible Entity or designee Signature:



Hermia Delaire, CDBG-DR Program Manager

03/27/2019

Date